

MISSOURI
HOUSE OF REPRESENTATIVES

RONALD F. RICHARD
SPEAKER

SUMMARIES OF
TRULY AGREED TO AND
FINALLY PASSED BILLS

95th GENERAL ASSEMBLY
FIRST REGULAR SESSION
2009



Prepared by
HOUSE RESEARCH

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OFFICE OF THE SPEAKER

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STATE CAPITOL
Jefferson City, Missouri



MISSOURI HOUSE OF REPRESENTATIVES

July 2009

Dear Fellow Missourian:

We recently concluded the 2009 regular session of the Missouri General Assembly, during which we enacted several pieces of legislation designed to boost Missouri's economy and make our state a better place to work and live. This session brought several accomplishments: we crafted a balanced budget, designating federal stimulus funds for one-time capital improvement projects that would immediately create jobs and passed an economic development package that expanded the proven Quality Jobs Act.

This booklet contains indexed summaries of these bills and all the legislation passed during the 2009 session. The Missouri House of Representatives distributes this booklet to better inform you of the work of the General Assembly.

If you have questions or wish to obtain additional copies of this booklet, contact your State Representative or call or write the House Research staff, Room B-38, State Capitol, Jefferson City, Missouri 65101-6906, (573) 751-2979.

Sincerely,

A handwritten signature in black ink, reading "Ronald Richard". The signature is written in a cursive style with a large, stylized "R" and "D".

Ronald Richard
Speaker

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ABBREVIATIONS

HB — House Bill

HCS — House Committee Substitute

HJR — House Joint Resolution

SB — Senate Bill

SCS — Senate Committee Substitute

SJR — Senate Joint Resolution

SS — Senate Substitute

CCS — Conference Committee Substitute

EFFECTIVE DATE OF BILLS

Unless they have a referendum clause, all bills are subject to approval or veto by the Governor. Bills approved by the Governor become effective on August 28, 2009, unless another date is specified in the bill or the bill contains an emergency clause. A bill with an emergency clause becomes effective upon approval of the Governor except where a later date is specified. Joint resolutions are proposed constitutional amendments, subject to a vote of the people.

TRULY AGREED TO AND FINALLY PASSED
HOUSE BILLS

OPERATING APPROPRIATIONS SUMMARY

House Bill		FY 2009 Budget	FY 2010 After Veto
1	<u>Public Debt</u>		
	General Revenue	\$89,899,194	\$83,604,814
	Federal Funds	0	0
	Other Funds	8,332,977	8,447,482
	Total	\$98,232,171	\$92,052,296
	Total FTE	0.00	0.00
2	<u>Elementary and Secondary Education</u>		
	General Revenue	\$3,002,412,965	\$2,469,116,803
	Federal Funds	950,859,501	1,495,021,833
	Other Funds	1,393,864,003	1,458,793,085
	Total	\$5,347,136,469	\$5,422,931,721
	Total FTE	1,830.21	1,746.21
3	<u>Higher Education</u>		
	General Revenue	\$1,028,804,430	\$921,114,922
	Federal Funds	5,119,468	152,502,915
	Other Funds	233,227,295	232,096,466
	Total	\$1,267,151,193	\$1,305,714,303
	Total FTE	75.67	75.67
4	<u>Revenue</u>		
	General Revenue	\$89,434,513	\$81,169,861
	Federal Funds	6,419,221	9,241,586
	Other Funds	345,723,127	345,649,948
	Total	\$441,576,861	\$436,061,395
	Total FTE	1,582.96	1,460.49
4	<u>Transportation</u>		
	General Revenue	\$13,142,698	\$8,292,923
	Federal Funds	73,961,070	80,623,802
	Other Funds	2,371,084,670	2,177,296,168
	Total	\$2,458,188,438	\$2,266,212,893
	Total FTE	6,947.00	6,616.68
5	<u>Office of Administration</u>		
	General Revenue	\$181,888,270	\$163,643,426
	Federal Funds	72,891,737	79,738,092
	Other Funds	64,286,477	62,231,217
	Total	\$319,066,484	\$305,612,735
	Total FTE	2,085.96	2,033.32
5	<u>Employee Benefits</u>		
	General Revenue	\$526,370,644	\$579,070,313
	Federal Funds	158,036,143	205,724,256
	Other Funds	152,983,837	170,394,165
	Total	\$837,390,624	\$955,188,734
6	<u>Agriculture</u>		
	General Revenue	\$57,718,487	\$9,907,564
	Federal Funds	4,614,629	41,113,225
	Other Funds	14,379,809	14,121,325
	Total	\$76,712,925	\$65,142,114
	Total FTE	400.55	391.06
6	<u>Natural Resources</u>		
	General Revenue	\$15,153,322	\$12,053,568
	Federal Funds	42,541,044	43,359,378
	Other Funds	270,532,637	262,445,420
	Total	\$328,227,003	\$317,858,366
	Total FTE	1,813.94	1,795.56

OPERATING APPROPRIATIONS SUMMARY

House Bill		FY 2009 Budget	FY 2010 After Veto
6	<u>Conservation</u>		
	General Revenue	\$0	\$0
	Federal Funds	0	0
	Other Funds	145,534,841	145,534,841
	Total	\$145,534,841	\$145,534,841
	Total FTE	1,871.61	1,843.81
7	<u>Economic Development</u>		
	General Revenue	\$72,555,297	\$55,133,360
	Federal Funds	167,647,376	217,556,791
	Other Funds	75,598,552	65,357,654
	Total	\$315,801,225	\$338,047,805
	Total FTE	977.87	976.37
7	<u>Insurance, Financial Institutions and Professional Registration</u>		
	General Revenue	\$0	\$0
	Federal Funds	700,000	700,000
	Other Funds	36,171,835	35,958,839
	Total	\$36,871,835	\$36,658,839
	Total FTE	534.15	545.15
7	<u>Labor and Industrial Relations</u>		
	General Revenue	\$2,646,233	\$2,254,942
	Federal Funds	47,444,717	47,167,731
	Other Funds	77,183,848	81,555,533
	Total	\$127,274,798	\$130,978,206
	Total FTE	865.96	831.86
8	<u>Public Safety</u>		
	General Revenue	\$88,660,485	\$66,264,818
	Federal Funds	131,485,935	131,554,226
	Other Funds	307,324,567	313,895,137
	Total	\$527,470,987	\$511,714,181
	Total FTE	5,035.23	5,032.78
9	<u>Corrections</u>		
	General Revenue	\$612,500,212	\$604,146,521
	Federal Funds	6,941,995	7,591,995
	Other Funds	50,634,406	52,824,936
	Total	\$670,076,613	\$664,563,452
	Total FTE	11,430.63	11,323.99
10	<u>Mental Health</u>		
	General Revenue	\$616,597,388	\$594,823,914
	Federal Funds	500,992,156	574,455,316
	Other Funds	41,934,883	42,271,054
	Total	\$1,159,524,427	\$1,211,550,284
	Total FTE	8,676.04	8,291.79
10	<u>Health</u>		
	General Revenue	\$243,607,994	\$247,247,017
	Federal Funds	586,115,078	621,029,997
	Other Funds	25,440,709	24,275,597
	Total	\$855,163,781	\$892,552,611
	Total FTE	1,914.40	1,883.77
11	<u>Social Services</u>		
	General Revenue	\$1,599,886,697	\$1,516,013,903
	Federal Funds	3,565,044,825	4,001,221,763
	Other Funds	1,725,213,763	1,945,406,004
	Total	\$6,890,145,285	\$7,462,641,670
	Total FTE	8,178.08	8,093.20

OPERATING APPROPRIATIONS SUMMARY

House Bill		FY 2009 Budget	FY 2010 After Veto
12	<u>Elected Officials</u>		
	General Revenue	\$50,843,746	\$48,189,352
	Federal Funds	23,548,603	24,721,404
	Other Funds	42,217,222	45,512,192
	Total	\$116,609,571	\$118,422,948
	Total FTE	975.02	987.02
12	<u>Judiciary</u>		
	General Revenue	\$168,964,851	\$162,749,121
	Federal Funds	10,408,187	17,056,136
	Other Funds	10,518,330	10,292,941
	Total	\$189,891,368	\$190,098,198
	Total FTE	3,405.05	3,406.05
12	<u>Public Defender</u>		
	General Revenue	\$34,069,815	\$34,207,100
	Federal Funds	125,000	125,000
	Other Funds	2,980,263	2,980,263
	Total	\$37,175,078	\$37,312,363
	Total FTE	560.13	572.13
12	<u>General Assembly</u>		
	General Revenue	\$34,275,667	\$34,373,472
	Federal Funds	0	334,597
	Other Funds	292,255	292,255
	Total	\$34,567,922	\$35,010,324
	Total FTE	712.34	711.34
13	<u>Statewide Leasing</u>		
	General Revenue	\$109,955,809	\$108,829,275
	Federal Funds	23,609,434	23,507,968
	Other Funds	13,073,450	13,099,626
	Total	\$146,638,693	\$145,436,869
	<u>Total Operating Budget</u>		
	General Revenue	\$8,639,388,717	\$7,802,206,989
	Federal Funds	6,378,506,119	7,774,358,011
	Other Funds	7,408,533,756	7,510,732,148
	Total	\$22,426,428,592	\$23,087,297,148
	Total FTE	59,872.80	58,628.25

Supplemental and Capital Improvement Appropriations

HB 14	FY 2009 After Veto
<u>Supplementals - Operating</u>	
General Revenue	\$28,463,438
Federal Funds	157,863,090
Other Funds	<u>125,987,186</u>
Total	\$312,313,714

HB 15	
<u>Supplementals - Federal Stimulus</u>	
General Revenue	\$0
Federal Funds	93,338,482
Other Funds	<u>62,400,000</u>
Total	\$155,738,482

HB 17
Capital Improvements Reappropriations
 Appropriates unexpended balances as of June 30, 2009, for capital improvements previously authorized in other appropriations.

HB 21	
<u>Federal Budget Stimulus</u>	
General Revenue	\$0
Federal Funds	2,495,359,275
Other Funds	<u>160,201,228</u>
Total	\$2,655,560,503

HB 22	FY 2010 (Year 1) After Veto	FY 2011 (Year 2) After Veto
<u>CI-Federal Stabilization</u>		
General Revenue	\$36,712,614	\$72,000,000
Federal Funds	291,604,168	30,507,959
Other Funds	<u>51,633,240</u>	<u>35,953,056</u>
Total	\$379,950,022	\$138,461,015

CCS SS SCS HCS HB 62 — CRIME

This bill changes the laws regarding crime. In its main provisions, the bill:

(1) Defines “unique biometric identification” as automated methods of recognizing and identifying an individual based on a physiological characteristic including, but not limited to, facial recognition, fingerprints, palm prints, hand geometry, iris recognition, and retinal scan and requires a law enforcement agency to capture that identification from a person at the time of his or her arrest if it is financially feasible for the agency to do so and to forward the information to the central repository of the State Highway Patrol (Sections 43.500 and 43.503, RSMo);

(2) Prohibits law enforcement agencies from fingerprinting a juvenile older than 15 years and six months of age who is alleged to have violated a traffic ordinance unless the juvenile is certified as an adult and requires law enforcement agencies to forward a photograph and certification papers to the central repository in cases where the juvenile has been certified as an adult (Section 43.503.3);

(3) Requires the municipal prosecuting attorney to notify the central repository of his or her decision not to file criminal charges on any charge referred to him or her or to the circuit attorney (Section 43.503.5);

(4) Requires municipal court clerks to furnish the central repository with a record of all charges filed in cases where the central repository has an arrest record or fingerprint and expands the list of crimes that are reportable to the central repository (Sections 43.503.6 and 43.506);

(5) Specifies that a person who knowingly uses or attempts to use a false or misleading degree from any institution of higher education or a degree from any institution of higher education in a false or misleading manner, in connection with admission to any institution of higher education or with any business, employment, occupation, profession, trade, or public office, will be guilty of a class C misdemeanor (Section 173.754);

(6) Allows state college and university police officers to respond to emergencies or natural disasters outside the boundaries of college or university property and to provide services if requested by the law enforcement agency with jurisdiction (Section 174.700);

(7) Requires the Department of Health and Senior Services to implement an education and awareness program regarding the financial exploitation of the elderly (Section 192.925);

(8) Requires a photograph to be taken of an incarcerated individual prior to release and made

available to the crime victim upon his or her request (Section 217.439);

(9) Specifies that a detainer will not be lodged against any person confined in a correctional facility until the Director of the Department of Corrections receives a certified copy of a warrant and a written request by the issuing agency to place the detainer. Failure of the director to comply will not be the basis for dismissing the indictment, information, or complaint unless the court also finds that the offender has been denied the constitutional right to a speedy trial (Sections 217.450 and 217.460);

(10) Requires the Governor to designate one member of the Board of Probation and Parole as the vice-chairman (Section 217.665);

(11) Specifies that it will be an absolute defense to criminal prosecution or civil liability for the killing or injuring of a dog if the person was in reasonable apprehension of imminent harmful contact by the dog or was acting to prevent the imminent harmful contact against another person or under certain specified conditions if the person has complained about the dog to the appropriate authority on at least two occasions (Section 273.033);

(12) Specifies that the owner or possessor of a dog that bites, without provocation, any person on public property or lawfully on private property or any dog that causes property or livestock damage will be strictly liable for any damages suffered by the bitten person or any damage to property or livestock and must pay a fine of up to \$1,000 (Section 273.036);

(13) Specifies that any person convicted of two intoxication-related traffic offenses within a five-year period will be denied all driving privileges (Section 302.060);

(14) Specifies that any person who knowingly or intentionally produces, manufactures, sells, or otherwise distributes a fraudulent document intended to serve as a motor vehicle insurance identification card will be guilty of a class D felony and any person who knowingly or intentionally possesses a fraudulent card will be guilty of a class B misdemeanor (Section 303.024);

(15) Specifies that any person 21 years of age or younger who operates a moving motor vehicle while sending, reading, or writing a text or electronic message by means of a hand-held electronic wireless communications device will be guilty of an infraction (Section 304.820);

(16) Specifies that any person who possesses or uses a beer bong or other drinking device used to consume similar amounts of alcohol or any large volume alcohol container holding more than four gallons of an alcoholic beverage on any river of this state or who possesses an expanded polypropylene

cooler on or within 50 feet of any river in this state except in specified areas will be guilty of a class A misdemeanor. This section does not apply to the Mississippi, Missouri, or Osage rivers (Section 306.109);

(17) Specifies that any person younger than 21 years of age who purchases, attempts to purchase, or has in his or her possession any intoxicating liquor or who is visibly in an intoxicated condition will be deemed to have given consent to a chemical test or tests of the person's breath, blood, saliva, or urine for the purpose of determining the alcohol or drug content of the person's blood (Section 311.325);

(18) Allows a person to expunge an alcohol-related offense from his or her record one year after turning 21 years of age if the person has not been convicted of any other alcohol-related offense. Currently, expungement is allowed after one year or upon reaching 21 years of age (Section 311.326);

(19) Requires any person who owns or licenses personal information of Missouri residents or conducts business in Missouri who owns or licenses personal information of a Missouri resident in any form to notify the affected consumer that there has been a breach of security following the discovery or notification of the breach. Any person maintaining or possessing records or data containing personal information on Missouri residents that the person does not own or license must also notify the owner or licensee of the information of any breach of security immediately following the discovery of the breach. The manner and description of the notice which must be provided in order to prevent violation of these provisions are specified. The Attorney General has the exclusive authority to bring an action to obtain actual damages for a willful and knowing violation and may seek a civil penalty not to exceed \$150,000 per security breach (Section 407.1500);

(20) Specifies that any person convicted of criminal securities fraud will be fined up to \$1 million, imprisoned for up to 10 years, or both and may be ordered to pay restitution for any loss plus interest at the rate of 8% per year from the date of the violation and an additional civil penalty of up to \$5,000 if the violation was committed against an elderly or disabled person (Sections 409.5-508 and 409.6-604);

(21) Creates the crime of failure to appear if a person knowingly fails to appear before any court or judicial officer as required. Failure to appear will be a class D felony if the criminal matter for which the person was released included a felony, a class A misdemeanor if the criminal matter includes a misdemeanor, or an infraction if the criminal matter includes only an infraction or a violation of a municipal ordinance (Section 544.665);

(22) Removes the requirement that court costs be assessed to the prosecutor in trespass cases, in certain capital cases, and in all other trials on indictments or information if the defendant is acquitted or the prosecution fails (Sections 545.050 and 550.040);

(23) Specifies that the statute of limitations for certain arson offenses will be five years (Section 556.036);

(24) Removes the requirement that a full record of the proceeding must be made by split-screen imaging and recording of the proceedings in the courtroom and the place of custody or confinement when a person in custody is required to be present in court (Section 561.031);

(25) Revises the definition of "domestic assault offense" to include any offense committed in another state or any federal, tribal, or military offense which, if committed in Missouri, would be considered a domestic assault offense (Section 565.063);

(26) Expands the crime of assault of a law enforcement officer, emergency personnel, or probation and parole officer in the first, second, and third degrees to include a corrections officer (Sections 565.081, 565.082, and 565.083)

(27) Expands the crime of tampering with a judicial officer to include a juvenile officer, deputy juvenile officer, state prosecuting or circuit attorney, and state assistant prosecuting or circuit attorney (Section 565.084);

(28) Specifies that the Attorney General may request the prosecuting attorney of Cole County to issue a subpoena to any witness who may have information for the purpose of oral examination under oath in the course of a criminal investigation of a sexual or pornography offense if the venue of the alleged criminal conduct cannot be determined (Sections 566.013 and 573.013);

(29) Prohibits certain sexual offenders from knowingly being physically present in or loitering within 500 feet of or approaching, contacting, or communicating with any child younger than 18 years of age in any child care facility building or the real property comprising any child care facility when children younger than 18 years of age are present in the building or on the grounds unless the offender is the parent, guardian, or custodian of a child in the building or on the grounds. Any person violating these provisions will be guilty of a class A misdemeanor (Section 566.148);

(30) Prohibits certain sexual offenders from knowingly being present in or loitering within 500 feet of any real property comprising any public park with playground equipment or a public swimming pool. Any person violating this provision will be guilty of

a class D felony for the first offense and a class C felony for a subsequent offense (Section 566.150);

(31) Prohibits certain sexual offenders from serving as an athletic coach, manager, or trainer for any sports team in which a child younger than 17 years of age is a member. Any person violating this provision will be guilty of a class D felony for the first offense and a class C felony for a subsequent offense (Section 566.155);

(32) Specifies that any person who possesses amphetamine or methamphetamine in the presence or residence of a person younger than 17 years of age will be guilty of endangering the welfare of a child in the first degree (Section 568.045);

(33) Specifies that a person who steals or receives a stolen firearm, explosive weapon, livestock, or certain captive wildlife will be guilty of a class C felony. Any person who is convicted of stealing or receiving stolen livestock or captive wildlife when the value of the animal or animals stolen exceeds \$3,000 will be guilty of a class B felony and must serve 80% of his or her prison sentence before being eligible for probation, parole, conditional release, or any other early release by the Department of Corrections (Sections 570.030 and 570.080);

(34) Specifies that the term “stealing-related offense” will include robbery and clarifies that a person who has pled guilty to or been found guilty of two separate stealing-related offenses which were committed on two separate occasions within 10 years of the date of the occurrence of the current offense will be guilty of a class B felony (Section 570.040);

(35) Removes the requirement that an offender have knowledge of the content and character of obscene materials or pornographic items for the crimes of promoting obscenity in the first and second degrees, sexual exploitation of a minor, promoting child pornography in the first and second degrees, possession of child pornography, furnishing pornographic material to minors, and coercing acceptance of obscene material (Sections 573.020, 573.023, 573.025, 573.030, 573.035, 573.037, 573.040, and 573.065);

(36) Expands the standard for the crimes of sexual exploitation of a minor, possession of child pornography, and public display of explicit sexual material from knowingly to knowingly or recklessly (Sections 573.023, 573.037, and 573.060);

(37) Expands the crime of resisting or interfering with an arrest, detention, or stop to include an arrest for a warrant issued by a court or a probation and parole officer. Anyone resisting or interfering with an arrest for a felony or a warrant issued for failure to appear on a felony case or for a probation violation on a felony case will be guilty of a class D felony (Section 575.150);

(38) Creates the crime of disarming a peace or correctional officer if a person intentionally removes from or deprives the peace or correctional officer of the use of his or her firearm or other deadly weapon while the officer is acting within the scope of his or her official duties. The crime, a class C felony, does not include situations in which the person does not know or could not reasonably have known that the person was a peace or correctional officer or if the officer was engaged in felonious conduct at the time of the disarmament (Section 575.153);

(39) Expands the crime of tampering with a judicial proceeding to include influencing the official action of a state prosecuting or circuit attorney, state assistant prosecuting or circuit attorney, or the Attorney General (Section 575.260);

(40) Specifies that a person will be guilty of the crime of misuse of official information if he or she knowingly or recklessly obtains or discloses information from any criminal justice information sharing system that contains individually identifiable information (Section 576.050.2);

(41) Allows a judge to order a person who pleads guilty to or is found guilty of an intoxication-related traffic offense to abstain from consuming or using alcohol as demonstrated by continuous alcohol monitoring or verifiable breath alcohol testing as a condition of probation (Section 577.023);

(42) Specifies that the owner or possessor of a dog that has previously bitten a person or domestic animal without provocation and bites any person on a subsequent occasion will be guilty of a class B misdemeanor. If the attack results in serious injury to any person, the owner or possessor will be guilty of a class A misdemeanor. If the attack results in serious injury to any person and a previous attack also resulted in a serious injury to any person, the owner or possessor will be guilty of a class D felony. It will be a class C felony if the attack results in death (Section 578.024);

(43) Specifies that any person who removes an electronic or radio transmitting collar from a dog without the permission of the dog's owner with the intent to prevent or hinder the owner from locating the dog will be guilty of a class A misdemeanor and ordered to pay restitution for any lost or killed dog and any lost breeding revenues (Section 578.028);

(44) Prohibits the use or possession of an alcohol beverage vaporizer. Any substance that has been approved by the United States Food and Drug Administration as a therapeutic drug product, is contained in an approved over-the-counter drug product, or is administered lawfully by an order of an authorized medical practitioner is exempt from this provision. Anyone violating this provision will be

guilty of a class B misdemeanor for the first violation and a class D felony for a subsequent violation (Sections 578.250 - 578.260);

(45) Prohibits any person who owns or operates a business as a live entertainment performance venue or receives over 50% of its gross annual income from the sale of recorded video entertainment from selling certain solvents to induce intoxication (Section 578.265.3);

(46) Allows an offender of certain misdemeanor sexual offenses to petition to exempt his or her name from the sexual offender registry if he or she meets current qualifications for the removal or exemption and was younger than 19 years of age at the time of the offense (Section 589.400);

(47) Specifies that any person who has committed an offense in any other state or foreign country or under federal, tribal, or military jurisdiction, which if committed in Missouri would be a sexual offense, will be guilty of a class C felony if the person fails to register as a sexual offender on a second offense (Section 589.425);

(48) Requires custodial interrogations of certain offenders to be recorded when feasible unless certain exceptions exist, requires law enforcement agencies to adopt written policies regarding interrogations, allows law enforcement agencies to record an interrogation in any circumstance with or without knowledge or consent of the suspect, and allows the Governor to withhold state funds from a law enforcement agency that fails to comply with the provisions of this section (Section 590.701);

(49) Specifies that circuit courts do not have to use a beyond-a-reasonable-doubt standard when determining if an individual is a sexually violent predator and requires any person who must register as a sexual offender to provide a fingerprint in addition to the current requirement of a blood or scientifically accepted biological sample for the purpose of DNA profiling analysis (Section 650.055);

(50) Establishes the Crime Laboratory Review Commission within the Department of Public Safety to provide an independent review of any state or local crime laboratory receiving state-administered funds. The commission must submit an annual report to the Governor on its activities and any suggestions to improve the quality management systems within the crime laboratories (Section 650.059);

(51) Allows law enforcement officers to inspect any record open to inspection by the State Veterinarian or the Department of Agriculture of any livestock sales or market licensee without prior notice or obtaining a search warrant during regular business hours to determine the origin and destination of any livestock handled by the licensee. Anyone violating

or failing to comply with this provision will be guilty of a class A misdemeanor, and gross negligence or willful noncompliance by a licensee will result in the suspension or revocation of his or her license (Section 1);

(52) Changes all references in statute of "Criminal Records and Identification Division" or "Criminal Records Division" to "Central Repository" (Section 2);

(53) Creates the crime of promoting online sexual solicitation if the person or entity knowingly allows a web-based classified service owned or operated by a person or entity to be used by individuals to post advertisements promoting prostitution, enticing a child to engage in sexual conduct, or promoting sexual trafficking of a child after receiving notice by certified mail or facsimile transmission from the Attorney General or any prosecuting or circuit attorney that the advertisement is prohibited. Anyone promoting online sexual solicitation will be guilty of a felony, punishable by a \$5,000 fine for each day the advertisement remains posted after 72 hours of receiving the notice (Section 3); and

(54) Repeals provisions regarding the cutting requirements of a person owning a hedge fence situated along the right-of-way of any public road and certain provisions regarding the payment of costs in criminal cases (Sections 229.110, 550.050, 550.070, 550.080, and 550.090).

The bill contains an emergency clause for the provisions regarding a judge ordering certain individuals to continuous alcohol monitoring or verifiable breath alcohol testing as a condition of probation and the repeal and re-enactment of Section 577.029.

SCS HCS HB 82 — INCOME TAX EXEMPTION FOR CERTAIN RETIREMENT BENEFITS

This bill changes the laws regarding income tax exemptions for certain retirement benefits. In its main provisions, the bill:

(1) Specifies that the "maximum Social Security benefit available" will mean \$32,500 for the tax year beginning January 1, 2007, and for each subsequent tax year, the amount will increase by the percentage increase in the federal Consumer Price Index;

(2) Removes the requirement that a taxpayer be at least 62 years of age to be eligible for the publicly funded retirement benefit income tax exemption;

(3) Changes the limitation requirement for a publicly funded retirement benefit when a taxpayer receives both Social Security and publicly funded retirement benefits from the total amount of Social Security benefits not included in Missouri adjusted

gross income to only the amount exempted under Section 143.125, RSMo; and

(4) Authorizes, beginning January 1, 2010, an income tax deduction from a taxpayer's Missouri adjusted gross income for 15% of any military retirement income, regardless of age or income. The tax deduction rate will increase by 15% annually until January 1, 2016, when it is fully phased in and all military retirement income will be deductible.

SCS HB 83 — TRAVEL CLUBS

This bill specifies that any use of travel club membership benefits during the three-business-day rescission period of the membership contract will not waive the member's right to rescind the contract and requires the rescission statement that must be printed in the form of a disclaimer on all contracts to reflect that change.

A travel club must have liquid assets of at least \$250,000 in certificates of deposit or a letter of credit from a banking institution with at least \$75 million in assets before it can register or renew a registration with the Attorney General. These liquid assets will be available to the Attorney General if the travel club fails to meet its legal obligations to its members.

HCS HB 89 — YIELDING THE RIGHT-OF-WAY (Vetoed by the Governor)

This bill requires vehicles to yield the right-of-way to all pedestrians and bicyclists crossing in an appropriate crosswalk on a city or neighborhood street in Kansas City.

CCS SCS HB 91 — TRANSPORTATION

This bill establishes David's Law and the Heroes Way Interstate Interchange Designation Program and designates several memorial highways and bridges.

DRUNK DRIVING VICTIM MEMORIAL SIGN PROGRAM (Section 227.295, RSMo)

The bill requires the Department of Transportation to establish a drunk driving risk reduction awareness program to be known as "David's Law," including a drunk driving victim memorial sign program. The department must adopt, by rules and regulations, program guidelines for the application for and placement of signs including, but not limited to, the sign application and qualification process, the procedure for the dedication of signs, and procedures for the replacement or restoration of any signs that are damaged or stolen.

Any person may apply to the department to sponsor a drunk driving victim memorial sign in

memory of an immediate family member who died as a result of a motor vehicle accident caused by a person who was shown to have been operating a motor vehicle in violation of an alcohol-related traffic law at the time of the accident. A person who is not a member of the victim's immediate family may also make a request if he or she submits the written consent of a member of the victim's immediate family. The department will charge the sponsoring party a fee to cover the department's cost in designing, constructing, erecting, and maintaining the sign and its cost in administering the program. Signs will remain in place for 10 years and may be renewed for another 10 years after payment of the appropriate maintenance fees.

The signs developed by the department will feature the words "Drunk Driving Victim!", the initials of the deceased victim, the month and year in which the victim was killed, and the phrase "Think About It!".

No person, other than a department employee or designee, may erect a drunk driving victim memorial sign.

HEROES WAY INTERSTATE INTERCHANGE DESIGNATION PROGRAM (Section 227.297)

The Heroes Way Interstate Interchange Designation Program is established to honor fallen Missouri heroes who have been killed in action while in active military duty with the armed forces in Afghanistan or Iraq on or after September 11, 2001, and who were residents of this state at the time of their death.

Any person related by marriage, adoption, or consanguinity within the second degree to the military member who was killed may apply to the Department of Transportation for a designation by submitting:

(1) An application in a form prescribed by the department director describing the interstate interchange for which the designation is sought and the proposed name of the interchange. The application must include the name of at least one current member of the General Assembly who will sponsor the designation;

(2) Proof that the family member was a member of the United States armed forces and was killed in action while performing active military duty with the United States armed forces in Afghanistan or Iraq on or after September 11, 2001, and a signed form certifying that the applicant is related to the member; and

(3) A fee to be determined by the Highways and Transportation Commission to cover, but not exceed, the costs of constructing and maintaining the proposed interstate interchange signs.

The department must submit for approval all applications for designations to the Joint Committee

on Transportation Oversight. If satisfied with the application and all its contents, the joint committee must approve the application. The joint committee must notify the department upon the approval or denial of an application for a designation. If the memorial designation request is not approved by the joint committee, 97% of the application fee must be refunded to the applicant.

Two signs will be erected for each interstate interchange designation. No interstate interchange may be named or designated after more than one individual, and a person will only be eligible for one designation.

The highway signs erected for any designation under the program must be erected and maintained for a 20-year period. After that period, the signs will be subject to removal by the department and the interstate interchange may be designated to honor another person. An existing designation processed under the program may be retained for additional 20-year increments if, at least one year before the designation's expiration, an application to the department is made to retain the designation along with the required documents and all applicable required fees.

MEMORIAL HIGHWAYS AND BRIDGES (Sections 227.310, 227.320, 227.368, 227.402, and 227.407)

The bill designates the following street, memorial highways, and bridges:

(1) The portion of State Highway 100 located in Franklin County from its intersection with State Highway 47 to the highway's connection with Interstate 44 as the "Veterans Memorial Highway";

(2) The portion of the state highway system which was designated as State Highway 47 as of January 1, 2009, within the city limits of the City of Washington as "Franklin Street";

(3) The bridge over Interstate 44 on Business Loop 44 at Exit 127 in Laclede County as the "Specialist James M. Finley Memorial Bridge";

(4) The bridge over the Gasconade River on State Highway 17 in Pulaski County as the "WWII Okinawa Veterans Memorial Bridge"; and

(5) The portion of Interstate 435 located in Jackson County from mile marker 63.4 to mile marker 54.2 as the "Lamar Hunt Memorial Highway."

SCS HCS HB 93 & 216 — TRACTOR PARADES

This bill exempts tractors driven by licensed drivers during daylight hours on specified parade routes for fund-raising activities and other special events involving tractors from certain width, height, length, and registration regulations with the approval of the Superintendent of the State Highway Patrol.

The bill contains an emergency clause.

SS#2 SCS HB 103 — PUBLIC SAFETY

This bill changes the laws regarding public safety. In its main provisions, the bill:

(1) Allows the executive officer of any public safety agency to enter into a mutual-aid agreement for reciprocal emergency aid with other public and private agencies and specifies that the Department of Public Safety will administer the Missouri mutual-aid system;

(2) Specifies that any member of a political subdivision or public safety agency responding to an emergency, disaster, or public safety need that is not declared by the Governor as an emergency is subject to the liability and workers' compensation provisions provided to him or her as a member of the subdivision or agency;

(3) Requires certain homebuilders to offer to any purchaser before entering into the purchase contract the option to install or equip his or her dwelling or residence with a fire sprinkler system at the purchaser's cost;

(4) Allows state college and university police officers to respond to emergencies or natural disasters outside the boundaries of college or university property and to provide services if requested by the law enforcement agency with jurisdiction;

(5) Establishes the Public Access to Automated External Defibrillator Act which grants immunity for civil damages to any person who gratuitously and in good faith renders medically appropriate emergency care using an automated external defibrillator unless the person acts in a willful and wanton or reckless manner in providing the care, advice, or assistance. The person or entity that owns the defibrillator and the person or entity that provided the clinical protocol for an automated external defibrillator site or program cannot be held liable for civil damages resulting from the use of the defibrillator;

(6) Requires, beginning January 1, 2010, a person owning a boat dock on a lake with at least 950 miles of shoreline or on a lake constructed or maintained by the United States Army Corps of Engineers with certain specified exceptions to display the appropriate 911 address or the physical address nearest to the dock by land. The bill specifies how and where the address must be displayed. A person who fails to display the identifying information may be guilty of an infraction with a penalty not to exceed \$25; and

(7) Authorizes the Elevator Safety Board within the Department of Insurance, Financial Institutions and Professional Registration to adopt a code of rules and regulations governing the licenses of elevator mechanics and elevator contractors.

The provisions of the bill regarding the installation of a fire sprinkler system will expire December 31, 2011.

SCS HCS HB 111 — UNCLAIMED VETERANS' REMAINS

This bill allows the unclaimed cremated remains of a veteran to be collected by a veterans' service organization for the purpose of interment if the remains have been in possession of a funeral establishment for at least one year and the funeral establishment has given written notice to the person who is entitled to the remains and that person has not claimed the remains within the specified time frame. If the address of the person entitled to the remains cannot be reasonably ascertained, notice must be given in a newspaper of general circulation in the county of the veteran's residence. If the veteran's residence is unknown, notice must be given in the county where the veteran died or, if the death location is unknown, in the county in which the funeral establishment is located. If the remains are not claimed within 30 days of the mailing of the written notice or within four months of the date of the first newspaper publication, the remains may be given to a veterans' service organization for interment.

A veterans' service organization is not liable for simple negligence if it interments and does not scatter the cremated remains and does not know or has no reason to know that the remains do not satisfy the requirements of the bill but must take all reasonable steps to inter the remains in a veterans' cemetery.

**HB 116 — CRIMES AGAINST TRANSIT WORKERS AND JUDICIAL OFFICERS
(Vetoed by the Governor)**

This bill expands the crime of assault of a law enforcement officer, emergency personnel, or probation and parole officer in the first, second, and third degrees to include a transit operator or an employee of a mass transit system while on duty or in operation of his or her official vehicle.

Juvenile officers, deputy juvenile officers, drug court commissioner-judges, family court commissioner-judges, and administrative law judges are added to the list of individuals who are to be considered judicial officers as it relates to the crime of tampering with a judicial officer.

HCS HB 124 — JOINT COMMITTEE ON TERRORISM, BIOTERRORISM, AND HOMELAND SECURITY

This bill expands the duties of the Joint Committee on Terrorism, Bioterrorism, and Homeland Security to include making a continuing study and analysis of the feasibility of compiling information relevant to immigration enforcement issues.

The expiration date of the provisions regarding the joint committee are extended from December 31, 2009, to December 31, 2011.

SS HB 132 — SALE OF LIQUOR

This bill changes the laws regarding the sale of liquor. In its main provisions, the bill:

(1) Regulates nonintoxicating beer in the same manner as intoxicating liquor by repealing Chapter 312, RSMo, and removing all references to Chapter 312 and nonintoxicating beer;

(2) Repeals the provision restricting a liquor licensee's employee with a felony conviction unrelated to the manufacture or sale of alcohol from directly participating in retail sales;

(3) Allows certain charitable, fraternal, religious, service, or veterans' organizations that are exempt from federal taxes and have or are qualified to have a license to sell intoxicating liquor by the drink on their premises to open on Sundays at 9:00 a.m. instead of 11:00 a.m.;

(4) Specifies that "wine manufacturers" will mean any person, partnership, association of persons, or corporation which obtains a license and manufactures over 200 gallons of wine per calendar year;

(5) Allows a restaurant bar without an onsite brewery that serves 45 or more different types of draft beer to sell 32 fluid ounces or more of beer to customers for consumption off the premises;

(6) Limits a person or business to having five liquor licenses rather than the current limit of three;

(7) Repeals the provisions allowing certain licensed liquor and wine wholesalers to offer limited price discounts for certain quantities of any brand and type of liquor and wine and for closeout merchandise;

(8) Repeals the provision requiring wholesalers to follow a monthly price schedule filed with the Supervisor of the Division of Alcohol and Tobacco Control within the Department of Public Safety;

(9) Requires wholesalers to make available to retailers certain product information, including price, no later than five days prior to the first day of the month in which the pricing will be effective. Supplemental pricing information can be provided to retailers after approval by the division for new or unintentionally omitted items from the monthly item information listing, and the items can then be sold immediately;

(10) Authorizes wholesalers to offer merchandise below their cost only if it is designated as closeout merchandise in the monthly pricing information for at least six consecutive months and prohibits them from purchasing new liquor and wine while it is designated as closeout merchandise;

(11) Requires delivery orders to be invoiced at the price in effect when the delivery is made, except for delayed shipments which can be invoiced at the price in effect when the order is placed. Currently, delayed shipment orders are those received during the last three business days of a month and delivered during the first three business days of the following month. The bill changes those time periods from three to five business days;

(12) Specifies that no person holding a license or permit will be guilty of a misdemeanor for offering for sale wine or brandy if the manufacturer has provided the division supervisor a copy of the certificate label approval issued by the Alcohol and Tobacco Tax and Trade Bureau and, if required, has properly registered the label or name with the appropriate state agency; and

(13) Allows a Kansas City festival district's promotional association to obtain a permit from the division to sell intoxicating liquor for consumption at the businesses and common areas within the festival district. The city must conduct a public hearing on the promotional association's proposed plan regarding the festival and obtain written approval for the event from 50% of the property owners, business owners, and residents within the district and within 185 feet of the district's borders. No minors will be allowed to enter the festival district during a festival event that serves liquor, and no one will be allowed to take an alcoholic beverage outside the festival district boundaries. The district is limited to 25 events per year and two events per month. No event can last longer than 48 hours. The association may be assessed a civil fine of up to \$5,000 for an alcohol violation and its permit may be revoked if there are alcohol violations at three separate events.

The provisions regarding the Kansas City festival district will expire two years from the effective date.

CCS SCS#2 HCS HB 148 — COLLECTION OF TAXES

(Vetoed by the Governor)

This bill changes the laws regarding the collection of taxes. In its main provisions, the bill:

(1) Specifies that in counties adopting a charter form of government after January 1, 2008, the county collector will receive a 7% fee for the collection of delinquent and back taxes rather than the 2% or 3% fee that all other charter county collectors receive. Currently, this only applies to Jefferson County;

(2) Specifies that a county adopting a charter form of government after January 1, 2008, is required to have a tax maintenance fund. Currently, this only applies to Jefferson County;

(3) Authorizes counties of the first and second classification to collect and disburse property taxes using electronic records;

(4) Specifies that the county collector-treasurer will assume all duties, compensation, fee schedules, and requirements of the collector-treasurer if a county of the third or fourth classification abolishes its township form of government or a county collector becomes a collector-treasurer;

(5) Requires county auditors in counties of the first and second classification to have access to all records for county-issued licenses and receive a monthly listing of the licenses issued with the specified related information from each county office issuing the licenses. Currently, these county auditors are required to countersign all county-issued licenses and keep a record of them;

(6) Authorizes political subdivisions, for tax year 2009, to levy a property tax rate sufficient to generate as much revenue as was produced in the 2007 tax year, excluding new construction and improvements, as long as the rate does not exceed the greater of the rate in effect for the 1984 tax year or the most recent voter-approved rate. Currently, if a political subdivision experiences a decrease in assessed value, the subdivision may increase its tax rate ceiling up to the most recent voter-approved rate in order to receive the same amount of revenue as allowed in the previous year. Beginning August 28, 2009, the bill allows a political subdivision which experiences a decrease in assessed value to roll-up its tax rate to the greater of the rate in effect for the 1984 tax year or the most recent voter-approved rate in order to collect the same amount of tax revenue allowed in the previous year;

(7) Requires any political subdivision that levies a property tax rate in excess of the most recent voter-approved rate to provide notice in a newspaper of general circulation three times during the year in which the rate is in effect. Beginning in the 2010 tax year, county collectors will be required to include statements of the most recent voter-approved rate for each purpose for every political subdivision located at least partially within the county levying a property tax; and

(8) Requires county collectors in counties of the first and second classification to file with the county clerk and auditor by the fifteenth day of each month a detailed statement of all taxes and license fees collected during the preceding month and to disburse those funds, less commissions, to the appropriate taxing entities and the Department of Revenue. Taxing authorities are required to request notification of current taxes paid under protest by February 1, and county collectors must provide the information by March 1.

SS HCS HB 152 — DNA PROFILING SYSTEM

This bill expands the DNA profiling system by requiring any person 17 years of age or older who is arrested for first degree burglary under Section 569.160, RSMo; second degree burglary under Section 569.170; or a felony under Chapter 565, 566, 567, 568, or 573 to provide a blood or scientifically accepted biological sample upon booking at a county jail or detention facility for the purpose of DNA profiling analysis. Within 90 days of a warrant refusal, the arresting agency must notify the State Highway Patrol crime laboratory which must expunge all the DNA records taken at the arrest and destroy the sample unless the patrol determines that the person is otherwise obligated to submit a sample. The prosecutor is required to notify the laboratory if the charges are withdrawn; and the court must notify the laboratory if the case is dismissed, the court finds that no probable cause exists that the person committed the crime, or the defendant is found not guilty. If the laboratory receives notice, it must expunge the sample and DNA profile within 30 days.

CCS#2 SS HCS HB 154 — CHILD PLACEMENT, FOSTER CARE, AND STANDBY GUARDIANS

This bill establishes the Foster Care Education Bill of Rights and changes the laws regarding the placement of children and the appointment of standby guardians.

FOSTER CARE EDUCATION BILL OF RIGHTS
(Sections 167.018, 167.019, and 210.1050, RSMo)

The Foster Care Education Bill of Rights is established requiring each school district to designate a staff person to act as the educational liaison for children in foster care. The liaison will facilitate the proper educational placement and expedite record requests and submissions. Foster care pupils will have the right to remain enrolled in their school of origin pending resolution of school placement disputes. Districts must accept credit for work satisfactorily completed; and if a pupil under the jurisdiction of the juvenile court completes graduation requirements, the school district of residence must issue a diploma. Students must not be penalized for absences resulting from required court appearances or court-related activities. Districts are authorized to permit access of a pupil's records to child-placement agencies within the limits of federal law. Children in foster care or children placed in a licensed residential care facility are entitled to a full six-hour school day unless the school district determines that fewer hours are needed. The Commissioner of Education will act as an ombudsman for children placed for treatment

in a licensed residential facility by the Department of Social Services and will make the final determination over discrepancies regarding school day length.

PLACEMENT OF CHILDREN

(Sections 210.305, 210.565, and 453.030)

When an emergency placement of a child is deemed necessary by the juvenile or family court, the bill requires the Children's Division within the Department of Social Services to make documented diligent efforts to locate, contact, and place the child with a grandparent unless the division determines that the placement is not in the best interests of the child. The division must have documented in writing just cause for the non-placement with a grandparent. Prior to placing a child in any emergency placement, the division must make sure that the child's physical needs are met. The placement with a grandparent is subject to an emergency placement background check. Diligent efforts must be made to contact the grandparent or grandparents of a child within three hours from the time an emergency placement is deemed necessary. During this time period or if the grandparent or grandparents cannot be located, the child may be placed in an emergency placement. The division must continue to make diligent efforts to contact, locate, and place the child with a grandparent or grandparents, or another relative, with first consideration given to a grandparent for placement. The provisions of this section are not to interfere with or supersede the laws relating to parental rights or judicial authority.

When a court determines that a child must be placed in a foster home, the division must make diligent efforts to locate the grandparents of the child and determine if they wish to be considered for placement of the child.

A grandparent or other relative can, on a case-by-case basis, have the standards for licensure of his or her home waived, except for the standards related to safety, for specific children in care if those standards impede the licensing of the grandparent's or other relative's home.

A guardian ad litem must ascertain a child's wishes and feelings about his or her placement through interviews with the child if appropriate, based on the child's age and maturity level, and must be considered as a factor in placement decisions and recommendations. This consideration will not supersede the preference for relative placement or be contrary to the child's best interests. In a case involving the adoption of a child younger than 14 years of age, the guardian ad litem must ascertain the child's wishes and feelings if appropriate, based on the child's age and maturity level, and must be considered as a factor in determining if the adoption is in the child's best interests.

STANDBY GUARDIAN OF MINORS OR INCAPACITATED PERSONS (Sections 475.010 - 475.105)

A custodial parent may designate a person to act as a standby guardian for a minor or an incapacitated person by a will or by a separate written instrument.

If a parent who has designated a standby guardian is or becomes seriously ill, the parent or designated standby guardian may file a petition in probate court seeking appointment of the person as the standby guardian of the minor or incapacitated person. The petition must be filed with a copy of the will or the written instrument designating the standby guardian and a consent to act as the standby guardian by the designated person.

The petition must contain certain identifying and contact information for the minor or incapacitated person, the custodial parent and designated standby guardian, each parent of the minor or incapacitated person, the spouse and all living children of the minor or incapacitated person, information about any adjudication of incapacity and the reasons why a standby guardian is sought.

The court must determine the appointment of a standby guardian in accordance with the best interests of the minor or incapacitated person after considering whether there is a parent other than the custodial parent willing, able, and fit to assume the duties of a parent; the suitability of any person nominated by the minor or incapacitated person to be the standby guardian if he or she can communicate a reasonable choice; and the desirability of arrangements which minimize stress and disruption and avoid the placement of the minor or incapacitated person in foster or similar care if the custodial parent becomes incapacitated or dies.

The authority of the person to act as the standby guardian will only take effect if the person has previously been appointed by the court as a standby guardian or if the person has not yet been appointed upon the first to occur of the following: (1) if the consent of the custodial parent is given in a written, duly executed instrument; (2) if an entry of an order adjudicating the custodial parent as incapacitated has been entered; or (3) if the custodial parent dies. The standby guardian must notify the court in writing within 10 days after he or she begins acting as the standby guardian of that fact and of the reasons and must petition the court within 60 days for appointment as the standby guardian or for another qualified person to be appointed as the guardian for the minor or incapacitated person.

Nothing in these provisions is to be construed to deprive a parent of his or her legal rights nor to authorize a grant of authority to a standby guardian

which would supersede any of these rights or to relieve his or her obligations or duties to a minor or incapacitated person.

SCS HB 171 — LEASE PAYMENTS FOR DESTROYED RESIDENCES AFTER DISASTERS (*Vetoed by the Governor*)

In the absence of a written contract to the contrary, this bill exempts a tenant from liability for rent payments during the remainder of the term of a lease agreement when his or her residence is destroyed by an act of God or other natural or man-made disaster unless the tenant caused the disaster.

SCS HCS HB 177 & HCS HB 622 — COURT RECORDS FOR SEXUAL OFFENSES

This bill authorizes the judge presiding over a domestic assault, sexual assault, stalking, or forcible rape case to publicly disclose identifying information regarding the defendant which could be used to identify or locate the victim of the crime. The victim may provide a statement regarding whether or not he or she wants the information to remain closed. The judge must consider the statement of the victim and the welfare and safety of the victim in determining whether to disclose the information.

SS#2 SCS HCS HB 191 — ECONOMIC DEVELOPMENT AND TAXATION

This bill changes the laws regarding economic development and taxation.

NEIGHBORHOOD ASSISTANCE ACT (Section 32.105, RSMo)

Currently, a person or family is considered eligible to qualify for assistance from the Missouri Housing Development Commission under the Neighborhood Assistance Act for an affordable housing unit of either a rental unit or an owner-occupied unit if the household's combined, adjusted gross income is equal to or less than the specified percentages of the median family income for the geographic area in which the residential unit is located or the median family income for the state, whichever is greater. The bill increases the income threshold for an owner-occupier of an affordable housing unit so that it is double the threshold required for a rental unit.

TAX INCREMENT FINANCING REPORTING (Section 99.865)

The bill:

(1) Requires the Director of the Department of Economic Development to also submit to the State Auditor its annual tax increment financing (TIF)

report which is currently submitted to the Speaker of the House of Representatives and the President Pro Tem of the Senate;

(2) Prohibits municipalities which fail to comply with state TIF reporting requirements from implementing any new TIF project for at least five years; and

(3) Requires the State Auditor to post and maintain for at least 10 years information provided in the annual reports from municipalities to his or her web site in a searchable database available to the public.

MISSOURI DEVELOPMENT FINANCE BOARD TAX CREDITS (Section 100.286)

Currently, taxpayers who contribute to Missouri Development Finance Board funds receive an infrastructure development contribution tax credit equal to 50% of the contribution. The board cannot issue more than \$10 million in tax credits in any calendar year or 5% of the average growth in the general revenue receipts in the preceding three fiscal years, whichever is less; but the limitation may be exceeded if agreed to by the Commissioner of the Office of Administration and the directors of the departments of Economic Development and Revenue. The bill specifies that the total annual amount of tax credits which the board may authorize or approve cannot exceed \$10 million, but this limitation can be exceeded if agreed upon by the commissioner and the department directors in a signed notarized letter, in which case no more than \$25 million in tax credits can be authorized or approved in that year.

BUSINESS USE INCENTIVES FOR LARGE-SCALE DEVELOPMENT PROGRAM

(Sections 100.760, 100.770, and 100.850)

Currently, in order to approve an application for tax credits for the Business Use Incentives for Large-Scale Development (BUILD) Program, the Missouri Development Finance Board must find that there is at least one other state that the applicant verifies is being considered for the BUILD project and that there is a significant disparity in the project's costs based on the incentives offered by the competing state. The bill removes these requirements and increases the total amount of tax credits that can be authorized annually for the program from \$15 million to \$25 million.

TRANSPORTATION DEVELOPMENT DISTRICTS

(Sections 105.145, 238.207, 238.212, and 238.235)

The bill:

(1) Requires the board of directors of any transportation development district to submit an annual report of financial transactions to the State Auditor as required of political subdivisions under Section 105.145. Failure to timely submit a copy of the annual financial statement will result in a fine of up to \$500 per day;

(2) Requires a petition to create a district to include details of the budgeted expenditures, including estimated expenditures for real physical improvements, estimated land acquisition expenses, estimated expenses for professional services, and estimated interest charges;

(3) Requires the circuit court to order at least one public hearing on the creation and funding of a proposed district if the petition to create a district was filed by the owners of all real property within the proposed district;

(4) Requires that the sales tax authorized in a district will be effective on the first day of the second calendar quarter after the Department of Revenue receives notification of the tax. Currently, the tax goes into effect on the first day of the month following its adoption by the qualified voters; and

(5) Requires the Director of the Department of Revenue, instead of the district, to perform all functions incidental to the administration, collection, enforcement, and operation of district sales taxes.

BUILD AMERICA AND RECOVERY ZONE BONDS (Sections 108.1000 - 108.1020)

The bill:

(1) Allows the Missouri Development Finance Board to issue Build America bonds and recovery zone bonds to pay for the cost of financing qualifying projects and authorizes any development agency, board, commission, or body corporate and politic of the state that is authorized to issue bonds to designate bonds as Build America bonds and recovery zone bonds;

(2) Requires the Department of Economic Development to allocate recovery zone bonds to counties and large cities in accordance with the federal Internal Revenue Code. Counties and large cities can waive any allocation at any time by giving written notice to the department, and waived allocations may be reallocated by the department; and

(3) Specifies that the bonds and any interest they earn are exempt from all taxation by the state and its political subdivisions.

TAX CREDIT REPORTING REQUIREMENTS

(Sections 135.800, 135.802, and 135.805)

The bill:

(1) Revises provisions regarding the Tax Credit Accountability Act of 2004 to include the enhanced zone in Sections 135.950 - 135.975 and the Missouri Quality Jobs Program;

(2) Requires the number of estimated jobs created as a result of tax credits to be reported by all recipients, if applicable, as part of the act;

(3) Requires all tax credit recipients to report annually for three years following the issuance of

the tax credits the actual number of jobs created as a result of the tax credits. This provision does not apply to recipients of domestic and social tax credits, environmental tax credits, or financial and insurance tax credits; and

(4) Requires the Department of Economic Development to publish the information in the reports on its web site and on the Missouri Accountability Portal.

HISTORIC PRESERVATION TAX CREDITS

(Sections 253.550 and 253.559)

The bill:

(1) Prohibits, between January 1, 2010, and June 30, 2010, the Department of Economic Development from approving applications for historic preservation tax credits which exceed \$70 million in total. For fiscal years beginning on or after July 1, 2010, the department cannot approve applications for tax credits which exceed \$140 million in total. Both of these amounts can be increased by the amount of tax credits which are rescinded in a given year. These limitations will not apply to:

(a) Applications approved for projects which will receive less than \$275,000 in tax credits;

(b) Applications which have received approval from the department prior to January 1, 2010; and

(c) Applications filed on or before January 1, 2010, from any taxpayer stating that he or she has incurred costs and expenses for an eligible property which exceed 5% of the total project costs or \$1 million, whichever is less, and received an approved Part I from the Secretary of the United States Department of the Interior or applications filed on or after January 1, 2010, from any taxpayer who has received certification from the state historic preservation officer that the rehabilitation plan meets certain standards and that the expenses associated with the rehabilitation will exceed 50% of the total basis in the property;

(2) Prohibits more than \$250,000 in tax credits from being issued for the eligible costs and expenses incurred when rehabilitating an eligible residential property. An eligible residential property is a non-income producing single-family, owner-occupied residential property that is either a certified historic structure or a structure in a certified historic district;

(3) Requires all tax credit applications, including those for additional tax credits in excess of the amount approved, to be prioritized for review and approval based on the date of the postmark. Applications with the same postmark will go through a lottery process to determine the order in which they will be reviewed;

(4) Specifies the requirements that a preliminary application must meet in order to be approved;

(5) Specifies that applications awaiting review will be kept on file and reviewed in order when the department receives its next allocation of tax credits if the department has allocated all of its tax credits;

(6) Requires all projects that receive tax credit authorization to begin rehabilitation within two years of the date noted on the letter received by the applicant notifying him or her of the approval. Commencement of rehabilitation means that as of the date on which physical work has begun, the applicant has incurred at least 10% of the estimated total costs of the rehabilitation. If a taxpayer fails to submit this evidence, the tax credit approval will be rescinded and the amount of those tax credits will be included in the total amount of tax credits available for approval;

(7) Requires an applicant with tax credit authorization to seek final approval from the department prior to claiming the tax credits. The bill specifies the requirements of final approval; and

(8) Allows a taxpayer to apply for additional tax credits if the amount of eligible rehabilitation costs and expenses incurred exceed the amount approved in the taxpayer's application.

QUALITY JOBS PROGRAMS

(Sections 620.1878 and 620.1881)

The bill:

(1) Revises the definition of "project facility" as it relates to the Quality Jobs Program so that it may include separate buildings located within 15 miles of each other or within the same county. Currently, the buildings must be within one mile of each other or within the same county;

(2) Allows a company which has filed or announced its intention to file for bankruptcy between January 1, 2009, and December 31, 2009, to be a qualifying company for the program. Currently, any company which has filed for bankruptcy or has publicly announced its intention to file for bankruptcy protection is prohibited from being deemed a qualifying company for the purposes of the program. A qualifying company can be eligible if it:

(a) Certifies to the Department of Economic Development that it plans to reorganize and not to liquidate; and

(b) Produces proof after its bankruptcy petition has been filed that it is not delinquent in filing any tax returns or making any payments due to the state including, but not limited to, all tax payments due after the filing of the bankruptcy petition and under the terms of the plan of reorganization;

(3) Specifies that any taxpayer who receives benefits from the program and files for bankruptcy under Chapter 7 of the United States Bankruptcy Code, Title 11 U.S.C., must notify the Department of Economic Development, forfeit the benefits, and repay the state an amount equal to any state tax credits already redeemed and any withholding taxes already retained;

(4) Revises the definition of “technology business project” as it relates to the program to include certain clinical molecular diagnostic laboratories;

(5) Specifies how the department must apply the definition of “project facility” when a business that has already received an approved notice of intent later files another notice of intent;

(6) Eliminates the per-company annual cap on technology business projects within the program. Currently, the per-company cap is \$500,000;

(7) Eliminates the per-company annual cap on high impact projects within the program. Currently, the per-company cap is \$750,000 or \$1 million under certain conditions; and

(8) Increases the annual tax credit cap for the program from \$60 million to \$80 million.

MISCELLANEOUS PROVISIONS

The bill:

(1) Codifies Executive Order 07-24 into statute, which requires the Commissioner of the Office of Administration to maintain the Missouri Accountability Portal. The portal consists of an easy-to-search database of financial transactions related to the purchase of goods and services and the distribution of funds for state programs. The portal must be updated each state business day and maintained as the primary source of information about the activity of Missouri’s government (Section 37.850);

(2) Increases the amount of distressed areas land assemblage tax credits which can be issued annually from \$10 million to \$20 million (Section 99.1205);

(3) Allows business headquarters to receive tax credits for new or expanding businesses for expansions done before January 1, 2020. Expansions at headquarter facilities will be considered separate business facilities and entitled to the credits if at least 25 new employees and at least \$1 million of new investment are attributed to the expansion. Buildings on multiple, noncontiguous properties will be considered one facility if they are in the same county or municipality (Section 135.155);

(4) Limits the total amount of tax credits that may be authorized for low-income housing to taxpayers owning an interest in a qualified Missouri project to \$6 million each fiscal year for projects financed through tax-exempt bonds (Section 135.352);

(5) Increases the tax credit cap for qualified equity investments under the New Markets Tax Credit

Program from \$15 million to \$25 million per year (Section 135.680);

(6) Prohibits a tax credit for guaranty fees for eligible small businesses from being authorized on or after the thirtieth day following the effective date of the bill (Section 135.766);

(7) Increases, beginning January 1, 2010, the outstanding shares and surplus threshold amount used to calculate a corporation’s annual franchise tax from \$1 million to \$10 million (Section 147.010);

(8) Reduces, beginning July 1, 2010, the amount of tax credits that can be authorized per fiscal year for the Family Development Account Program from \$4 million to \$300,000 (Section 208.770);

(9) Specifies that, under certain conditions, an out-of-state wholesale drug distributor that is a drug manufacturer which produces and distributes from a facility inspected and approved by the federal Food and Drug Administration and is licensed by the state in which the facility is located will not be required to be licensed but must register its business name and address with the Board of Pharmacy within the Department of Insurance, Financial Institutions and Professional Registration and pay a \$10 filing fee. This also applies to a wholesale drug distributor located in a foreign country if it is authorized and in good standing to operate as a drug manufacturer within its jurisdiction (Section 338.337);

(10) Allows a prorated amount of tax credits which remain for a brownfield redevelopment project to be released when a letter of completion is issued by the Department of Natural Resources for a portion of the specific project (Section 447.708);

(11) Revises the provisions regarding the Open Meetings and Records Law, commonly known as the Sunshine Law, to allow a public governmental body to close meetings, records, and votes regarding information submitted by an individual, corporation, or other business entity to a public institution of higher education in connection with a proposal to license intellectual property or perform sponsored research which contains sales projections or other business plan information (Section 610.021);

(12) Allows certain records pertaining to a business prospect with which the Department of Economic Development; the Missouri Economic Development, Export, and Infrastructure Board; or a regional planning commission is currently negotiating to be deemed a closed record (Section 620.014);

(13) Requires contracts that the Department of Economic Development enters into with another party for any financial assistance to include a summary of the jobs created and to report annually as required in Section 135.805. The annual report must be made available to the public on the Missouri Accountability Portal (Section 620.017);

(14) Allows the department to include pre-employment training in its new or expanding industry training program. The bill specifies what services may be provided including development of training plans, the provision of training through qualified training staff, fees for training professionals, and transportation expenses if the training can be more effectively provided outside the community where the jobs will be located (Section 620.472); and

(15) Establishes the Big Government Get Off My Back Act which prohibits user fees imposed by the state from increasing for four years from the effective date of the bill unless the fee increase is to implement a federal program administered by the state or is a result of an act of the General Assembly. For four years, beginning on the effective date of the bill, any state agency proposing a rule must certify that it does not have an adverse impact on small businesses with fewer than 25 employees or that it is necessary to protect the life, health, or safety of the public or the agency must exempt any small business with fewer than 25 employees from the rule. Rules established as a result of a federal mandate or to implement a federal program administered by the state or an act of the General Assembly are excluded from these provisions (Section 1).

The bill contains an emergency clause for the provisions regarding the Missouri Development Finance Board tax credits, the Business Use Incentives for Large-Scale Development Program, the increase on the tax credit cap for qualified equity investments, the historic preservation tax credits, and the Quality Jobs Program.

SS SCS HCS HB 205 — FIRE SAFETY STANDARD AND FIREFIGHTER PROTECTION ACT

This bill establishes the Fire Safety Standard and Firefighter Protection Act which prohibits the sale of or the offer to sell any cigarette in this state that has not been tested, certified, and marked that it has met certain performance standards. Performance standard tests will be conducted in accordance with the Standard Test Method for Measuring the Ignition Strength of Cigarettes of the American Society of Testing and Materials unless the State Fire Marshal determines that it is impossible for the cigarette manufacturer to use this test method. Alternative testing methods may be approved by the State Fire Marshal and implemented by a cigarette manufacturer. A manufacturer must maintain copies of all testing records for three years and make them available to the State Fire Marshal or the Attorney General within 60 days of receiving a written request or be fined up to \$10,000 per day after the sixtieth day.

Cigarette manufacturers must pay a certification fee of \$1,000 for each brand family of cigarettes, and the certification period will last for three years. Any manufacturer, wholesaler, or other person or entity who knowingly violates this requirement other than through retail sale may be fined up to \$100 per pack of cigarettes sold or offered for sale. No penalty against any person or entity can exceed \$100,000 during any 30-day period. A retail dealer may be fined up to \$100 per pack of cigarettes sold in violation of the act, but the penalty cannot exceed \$25,000 during any 30-day period. Any corporation, partnership, sole proprietorship, limited partnership, or association engaged in the manufacture of cigarettes that knowingly makes a false certification will be subject to a penalty of between \$75,000 and \$250,000. Any person who violates any other provision of the act will be subject to a fine of up to \$1,000 for a first violation and up to \$5,000 for a subsequent offense.

Certain exemptions for sales prior to the effective date of the bill and for cigarettes used for consumer testing are specified. The act preempts all local or state laws or state policy considerations to the contrary. The act will terminate if a federal cigarette ignition propensity standard is enacted.

To enforce the provisions of the bill, the Attorney General and the Department of Revenue are authorized to examine the business records related to cigarettes that are suspected of nonconformity with the act's requirements. Methods for an injunction prohibiting the sale of illegal cigarettes or obtaining damages and attorney fees resulting from the enforcement of the act are specified. All fines will be deposited into the newly created Cigarette Fire Safety Standard and Firefighter Protection Act Fund which must be used by the State Fire Marshal to support fire safety and prevention programs.

The State Fire Marshal must review the effectiveness of the act and submit a report on his or her findings and, if appropriate, legislative recommendations to the General Assembly by June 30 every three years.

The bill becomes effective January 1, 2011.

HB 210 — STATE RETIREMENT

This bill allows a retired state employee to request in writing to have contributions to the Missouri State Employees Charitable Campaign deducted from his or her monthly retirement benefit payment.

HB 218 — MISSOURI HEALTH INSURANCE POOL

Currently, a person who has health insurance coverage through an insurer who experiences a premium rate increase to 150% to 200% of the rates

established by the board of the Missouri Health Insurance Pool is eligible to obtain coverage through the pool. After December 31, 2009, only persons whose premiums have increased to 300% of the rates will be eligible for coverage. This bill removes the 300% requirement and allows individuals who experience a premium rate increase to 150% to 200% of the established rates to be eligible for pool coverage.

HCS HB 231 — GROUP HEALTH INSURANCE COVERAGE AFTER TERMINATION OF EMPLOYMENT

This bill requires group policies delivered or issued by an insurance company, health service corporation, or health maintenance organization to employers not covered by the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) to provide the continuation of group health insurance coverage in the same manner as provided by the COBRA law to an individual who has terminated employment or membership.

The bill contains an emergency clause.

SCS HCS HB 236 — STUDENTS WITH DISABILITIES

This bill establishes Kaitlyn's Law which requires each school district with a high school to establish a policy and adopt procedures that allow certain students with disabilities who have completed four years of high school to participate in their graduation ceremony and all related activities. Timely and meaningful written notice of the policy and procedures must be given to students with disabilities and to their parents or guardians.

The bill contains an emergency clause.

SCS HCS HB 237 & HB 238 & HB 482 — COURTS

This bill changes the laws regarding courts and court procedures. In its main provisions, the bill:

(1) Requires a person to appear on a service of summons no less than 10 days nor more than 60 days from the date the summons was delivered instead of the current nor more than 30 days;

(2) Allows the required annual report of the Judicial Finance Commission regarding the finances of the Judicial Department to be consolidated with any other annual report prepared by the Missouri Supreme Court or the Office of State Courts Administrator if it is distributed to the required parties;

(3) Allows municipal courts to create an appointed counsel fund to pay the reasonable fees approved by the court for any attorney appointed to represent a defendant who is found by the judge to be indigent

and unable to pay for legal representation and where prescribed by Supreme Court rules or the law; and

(4) Specifies that moneys for the appointed counsel fund will come from the \$1 fee collected on each case which currently is deposited into the judicial education fund. The court will determine the allocation of the fees between the accounts, but no court can retain more than \$1,500 in the judicial education fund for each judge, administrator, or clerk of the court and no more than \$5,000 in the appointed counsel fund.

SCS HB 239 — MANAGEMENT OF TRUSTS AND FUNDS

This bill changes the laws regarding the management of trusts and funds. In its main provisions, the bill:

(1) Allows the University of Missouri Board of Curators to use up to 2% annually of the total market value of the university's endowment to support internal endowment administration and development functions;

(2) Allows certain banks, trust companies, savings and loan associations, and savings banks to transfer by assignment some or all of its fiduciary obligations consisting of irrevocable life insurance trusts to the Missouri trust office of an out-of-state bank with trust powers or an out-of-state trust company;

(3) Establishes guidelines for the management, investment, and expenditures of endowment funds held by charitable institutions and other entities holding funds for charitable purposes. Subject to the intent and any specific limitation of a donor, the investment manager must manage and invest the fund in good faith with the care an ordinary, prudent person in a like position would take. Delegation of fund management to an external agent must also be made in good faith. The assets of the fund must be diversified unless the institution determines that because of special circumstances the funds are better served without diversification. The assets can be pooled together with other institutional funds for the purposes of management and investment. Other criteria for investment decisions are specified in the bill;

(4) Specifies a procedure for the modification of a donor restriction in certain instances. If a restriction is on a fund with less than \$50,000, it may be modified in a manner consistent with the charitable purpose of the gift after 10 years upon notification to the Attorney General and a 60-day waiting period without court approval. Courts may modify the purpose of a fund or any restrictions if they are unlawful, impracticable, impossible to achieve, or wasteful. The Attorney General may intervene to provide an opinion on the proposed modification;

(5) Authorizes a trustee of a trust that became irrevocable on or before September 25, 1985, to distribute trust income and principal to qualified remainder beneficiaries in certain specified circumstances. A “qualified remainder beneficiary” is a descendant of a permissible distributee who will be eligible to receive trust income upon the death of a permissible distributee or the termination of a trust. Permissible distributees must be notified of any distribution of trust income to a qualified remainder beneficiary 60 days prior to any transfer. Trustees in certain specified counties may publish creditor notices in a local newspaper; and

(6) Requires personal representatives of an estate to invest the estate’s funds in accordance with the Missouri Prudent Investor Act unless otherwise specified by a will. Instruments guaranteed as to principal and interest by the United States and accounts insured by the Federal Deposit Insurance Corporation (FDIC) are considered prudent investments. Delegation of account management responsibilities to an agent requires a written acknowledgment by the agent that they are acting as an investment fiduciary on the account. Conservators of an estate must also follow these rules unless they obtain court approval. Conservators will no longer be able to sell or exchange assets worth less than \$1,000 without court approval.

CCS HCS HB 246 — SURFACE MINING AND GRAVEL EXCAVATION

This bill allows a property owner or an operator conducting gravel removal at the request of a property owner to manage seasonal gravel accretion on property not used primarily for gravel mining or a political subdivision who contracts with an operator for excavation to obtain sand and gravel material solely for the subdivision’s use to do so without obtaining a permit from the Department of Natural Resources. Gravel removal must be performed solely on the owner’s or political subdivision’s property and not within a distance to be determined by the Land Reclamation Commission in the department of any building, structure, highway, road, bridge, water or sewer line, pipeline or utility line, or viaduct. Property owners and operators must follow the department’s guidelines regarding surface mining and gravel removal.

Property owners are limited to removing up to 2,000 tons of gravel annually with a 1,000 ton per-site limitation and are required to notify the department before any person or operator conducts gravel removal from his or her property if it is intended to be sold. Notification will include the nature of the activity, the county and stream name in which the site is

located, and the property owner’s name. Any future gravel mining activities at the site will not require the property owner to renotify the department for up to one year. Any operator conducting gravel removal at the request of the property owner who removes more than 2,000 tons of sand and gravel material within a calendar year must have a watershed management practice plan approved by the commission. The application for approval must be accompanied by a fee equal to the fee currently paid for commercial gravel removal as established by the department and must contain the name of the watershed from which the operator will be conducting the removal, the location where the sand and gravel will be removed, and the description of the vehicles and equipment that will be used for the removal.

Any person filing a complaint with the department for an alleged violation of the provisions of the bill must identify himself or herself by name and telephone number; specify the date and location of the violation; and provide adequate information, as determined by the department, of the violation. Any records, statements, or communications submitted by any person to the department will be confidential and used solely by the department to investigate the alleged violation.

SS SCS HCS HB 247 — NURSES AND NURSING STUDENTS

This bill changes the requirement for a written collaborative practice arrangement between a physician and an advanced practice registered nurse by expanding the review, which is currently of the nurse’s prescribing practices, to include the nurse’s delivery of health care services and a physician’s review of at least 10% of the nurse’s charts every 14 days. The physician must also review every 14 days at least 20% of the charts of patients to whom the nurse prescribes controlled substances. These reviews may be counted as part of the 10% requirement.

Collaborative practice arrangements for certain population-based public health services are exempt from the joint rule-making authority of the State Board of Registration for the Healing Arts and the State Board of Nursing within the Department of Insurance, Financial Institutions and Professional Registration.

The definition of “eligible student” as it relates to the Nursing Student Loan Program is revised to allow a student seeking a doctoral degree in nursing or a student with a master of science in nursing seeking a doctorate in education to participate in the loan program. The doctoral applicant may be a part-time student.

SCS HCS HB 250 — USE OF LAND

This bill changes the laws regarding the use of land.

USE OF PUBLIC LANDS

The bill specifies that access to public land owned, managed, or funded by the state of Missouri for horse and mule use cannot be denied on trails and roads currently having this designation by the state, except when conditions are not suitable due to public safety concerns, necessary maintenance, or for reasons related to the mission of the agency that owns or manages the land. A written statement must be posted at the trailhead stating the cause and estimated duration of the closure.

SOIL AND WATER CONSERVATION COST-SHARE PROGRAM

The definition and purpose of the “Soil and Water Conservation Cost-share Program” is revised to include the protection of water resources of the state to preserve the productive power of Missouri agricultural land.

The bill contains an emergency clause for the provisions regarding the Soil and Water Conservation Cost-share Program.

**HCS HB 251 — SALE OF MILK
(Vetoed by the Governor)**

This bill specifies that the receipt by a member of a cooperative association of the economic benefits and services provided by the cooperative to its members including, but not limited to, a return on a patronage basis of the savings realized on milk products sold and distributed to the members or patrons or a refund based on the patronage of the purchaser with the association will not be considered a violation of Section 416.440, RSMo, the Unfair Milk Sales Practices Act.

HB 253 — MOTORCYCLE HEADLAMP MODULATORS

This bill allows motorcycle headlamps to be wired to modulate either the upper beam or the lower beam from its maximum intensity to a lesser intensity under certain conditions. The standards for the modulation are specified in the bill.

SCS HB 257 — RECLASSIFICATION OF LINCOLN COUNTY

Currently, counties can change classification only after their assessed valuation qualifies for the new classification for five successive years, except that any county may become a first classification county at any time after it reaches the required assessed

valuation and the county governing body elects to change classification. This bill allows Lincoln County to become a second classification county upon reaching the required assessed valuation and approval from the governing body effective at the beginning of the county's fiscal year following approval by the governing body.

CCS SCS HCS HB 265 — PUBLIC SCHOOL RETIREMENT SYSTEMS

This bill changes the laws regarding the Public School Retirement System of Missouri and the Public Education Employee Retirement System of Missouri. In its main provisions, the bill:

(1) Allows the boards of the retirement systems to establish and maintain an investment fund account to combine moneys from both systems for investment purposes only. The funds of each system must be accounted for separately and for all other reporting purposes;

(2) Allows a member when purchasing prior service credit who has not paid the entire cost of the service by September 30 to have the purchase price recalculated as of October 1 of the same year instead of charging interest. Currently, if a member has not paid for the service by June 30, the purchase price will be recalculated as of July 1;

(3) Allows the retirement systems to prohibit a purchase or impose additional requirements for making a purchase if necessary to comply with federal law;

(4) Specifies that, upon the death of a member who has chosen a guaranteed payment option and no designated beneficiary is living or the member's financial institution cannot accept the payment, any remaining benefits will be paid in the order of the surviving spouse, surviving children equally, surviving parents equally, or to the estate of the last person receiving benefits;

(5) Prohibits, beginning July 1, 2010, employees of any additional nonprofit educational association or organization from becoming members of the retirement systems;

(6) Allows the retirement systems, to the extent determined appropriate by the boards of trustees, to indemnify and protect any trustee or employee of the systems against liability claims arising out of his or her official capacity. No employee or trustee will be entitled to indemnification for his or her gross negligence or willful misconduct or unless written notice is given to the appropriate board within 15 days of receiving a service of process of a proceeding;

(7) Requires all suits or proceedings directly or indirectly brought against the boards, members or employees of the boards, or the systems themselves to be brought in Cole County; and

(8) Allows funds belonging to the retirement systems and certain benefits to be subject to execution, garnishment, attachment, or any other process in a proceeding instituted for spousal maintenance or child support.

CCS SCS HB 269 — MOTOR VEHICLES, BOATS, MOTORS, AND MANUFACTURED HOMES

This bill changes the laws regarding the registration and licensing of motor vehicles and the issuance of lien titles and certificates of ownership for motor vehicles, trailers, outboard motors, aircraft, vessels, and manufactured homes.

SALVAGED VEHICLES (Section 301.218, RSMo)

Currently, when a person who is not a resident of the United States buys a nonrepairable motor vehicle or a salvage motor vehicle, the seller must stamp the words "FOR EXPORT ONLY" on the face of the title and in each unused reassignment space on the back of the title and forward it to the Department of Revenue. The bill specifies that it is the operator of the salvage pool or salvage disposal sale or the subsequent purchaser who is required to fulfill these actions.

LIEN TITLES AND CERTIFICATES OF OWNERSHIP (Sections 301.190, 306.410, 430.082, and 700.320)

The bill changes the laws regarding the issuance of lien titles and certificates of ownership for motor vehicles, trailers, outboard motors, aircraft, vessels, and manufactured homes. The bill:

(1) Changes from three months to 45 days from the completion of requested labor when a lienholder may apply to the Director of the Department of Revenue for a certificate of ownership or title when the charges for the labor have not been paid;

(2) Specifies that if the charges are for storage and/or for towing an item and the item has not been redeemed within 45 days after the charges for storage have commenced, the lienholder must notify the owner and any lienholder of record, by certified mail, that an application for a lien title will be made unless the owner or lienholder makes satisfactory arrangements within 30 days. Currently, the item must not have been redeemed within three months after the charges for storage commenced and the lienholder must make satisfactory arrangements within 45 days;

(3) Allows a lienholder to apply for a lien title 30 days after the notice has been mailed and the storage or towing charges have not been paid or if the notice has been returned marked "not forwardable" or "addressee unknown" instead of the current 45 days;

(4) Allows a lienholder to apply for a lien title after notice by certified mail has been sent and not returned accompanied with an affidavit from the lienholder that written notice was provided to all owners and lienholders and a copy of the written notice given by certified mail evidencing the notice was sent;

(5) Requires the department director to issue a lien title upon satisfaction that the application is genuine, proof of lienholder notification is provided, and no lienholder or owner has redeemed the item or demanded a hearing. Currently, the department director must notify the owner and lienholder upon receipt of the application; and

(6) Requires the owner to provide the department director with certain documentation when adding or deleting a name or names on an application for certificate of ownership for a motor vehicle or trailer or an application for certificate of title for a manufactured home, outboard motor, motorboat, vessel, or watercraft when there is an inconsistency with the names listed on a notice of lien.

SCS HCS HB 272 — ALZHEIMER'S STATE PLAN TASK FORCE

This bill establishes the Alzheimer's State Plan Task Force within the Department of Health and Senior Services. The 19-member task force is required to:

(1) Assess the current and future impact of Alzheimer's disease and related dementia on Missouri residents;

(2) Examine existing services and resources for individuals with dementia, their families, and caregivers;

(3) Develop recommendations regarding increased instances of Alzheimer's disease and related dementia;

(4) Gather public input;

(5) Submit a report of its findings and recommendations to the Governor and General Assembly by November 15, 2010; and

(6) Meet at least once annually to evaluate the implementation and impact of the task force's recommendations and provide annual supplemental reports to the Governor and General Assembly.

When conducting the assessment and making recommendations, the task force is required to examine state trends in Alzheimer's and related dementia populations and their needs; the existing services, resources, state support for research, and capacity of public safety and law enforcement to respond to individuals with Alzheimer's and related dementia; and necessary state policies or responses

and strategies to address any identified gaps in services.

The provisions of the bill will expire November 1, 2012.

HCS HB 273 — DOCUMENTATION FOR DISBURSEMENTS ON CERTAIN ESTATES

Currently, any expenditure of more than \$75 for which a personal representative claims credit in a settlement on a decedent's estate must be supported by a voucher executed by the person to whom the disbursement was made. This bill also allows other documentation, such as an electronic copy of a check or a bank statement to establish to the court's satisfaction that the payment claimed in a settlement was actually made to the claimant.

HB 282 — CONVEYANCE IN JASPER COUNTY

This bill authorizes the Governor to convey state property located in Jasper County, known as the Joplin Regional Center, to Missouri Southern State University. The transfer may not occur until the center has relocated to different property.

SCS HB 283 — NONPROFIT SEWER COMPANIES

This bill authorizes a nonprofit sewer company to provide the same services and assume all responsibilities as authorized to a nonprofit water company when approved by its members in an area not within the boundaries of an existing public water supply district, municipal utility, or the certificated area of a water corporation.

HB 289 — SPECIAL EDUCATION DUE PROCESS

Currently, a special education due process hearing requires a five-business-day notice for the introduction of evidence unless it is an expedited hearing. This bill removes the exception for expedited hearings and makes the five-day notice applicable to all special education due process hearings.

Currently, if a preliminary meeting to discuss a special education placement, known as a resolution session, reaches a settlement, the written settlement agreement will be implemented. The bill clarifies that the responsible public agency or its designee must sign the agreement and that the agency, usually the local board of education, must identify a designee who has the authority to bind the school district.

HCS HB 299 — MISSOURI ARTS COUNCIL APPROPRIATION LIMIT

This bill removes the \$10 million appropriation limit per fiscal year to the Missouri Arts Council from the estimate of state revenues from the nonresident professional athletes and entertainers tax.

HCS HB 306 — LAKE AREA BUSINESS DISTRICT TAX COLLECTION (Vetoed by the Governor)

Currently, the board of directors of a lake area business district must enter into an agreement with the county collector where the district is located for the collection of a transient guest tax within the district. This bill requires the board to enter into a superseding agreement with the Director of the Department of Revenue to collect the tax with the department retaining not less than 1% or more than 3% for the cost of collection.

SCS HB 326 — LICENSED MENTAL HEALTH PROFESSIONALS

This bill revises the definition of "clinical social work" to include community organization, planning, and evaluation and prohibits any governmental entity or public or private agency or organization from using any title or abbreviation for identifying a volunteer or employee as a social worker unless he or she meets the required licensing criteria.

Insurance companies, health services corporations, and health maintenance organizations are required, subject to contractual provisions, to provide coverage for mental health care benefits by licensed marital and family therapists for up to two visits a year.

SS SCS HCS HB 359 — DESIGN-BUILD HIGHWAY PROJECT CONTRACTS

This bill allows the Highways and Transportation Commission to enter into more than three design-build highway project contracts in a fiscal year, but the total number of contracts cannot exceed 2% of the total number of all state highway system projects listed in the commission's approved statewide transportation improvement project for that fiscal year. The bill specifically allows the commission to enter into design-build highway project contracts for the design, construction, reconstruction, or improvement of Missouri Route 364 in the counties of St. Charles and St. Louis, the intersection of State Highway 169 and 96th Street in Kansas City, and State Highway 92 from its intersection with State Highway 169 east

to its intersection with State Route E in Clay County. Authority for these projects will not expire when the commission's authority to enter into design-build highway project contracts expires on July 1, 2012.

The design-builder is required to provide to the commission his or her bid, performance and payment bonds, or letters of credit on forms as the commission determines to be adequate. The performance bond or bonds for the construction period specified must be equal to a reasonable estimate of the total cost of the construction work unless the commission determines in writing that the amount is impractical, in which case the commission must set the amount at the largest amount reasonably available, but not less than \$250 million. Currently, the bond or bonds must be in an aggregate amount of \$200 million or 25% of a reasonable estimate of the cost of construction work, whichever is lower, unless the commission allows other security. Upon award of the design-build highway project contract, the sum of the performance bond and any required additional security will be stated and a matter of public record.

The commission must negotiate and reach agreements including clearance, safety, insurance, and indemnification provisions with affected railroads for any project constructed but are not required to include provisions on right-of-way acquisitions.

The bill contains an emergency clause.

HCS HB 361 — FEDERAL REAL ID ACT OF 2005

This bill prohibits the Department of Revenue from amending procedures for applying for a driver's license or identification card in order to comply with the goals or standards of the federal REAL ID Act of 2005 and from selling any data derived from a person's license or permit application for commercial purposes.

An applicant for a driver's license, nondriver's license, or instruction permit cannot have his or her privacy rights violated in order to obtain or renew the license or permit.

Any biometric data previously collected, obtained, or retained by any state department or agency responsible for motor vehicle registration or operation or the issuance or renewal of driver's licenses or identification cards must be retrieved and deleted from all databases. This does not apply to data collected, obtained, or retained for purposes other than complying with the federal act.

Currently, the department must verify that an applicant for a driver's license is lawfully present in the United States before accepting the application, and the license cannot be issued for a period that exceeds the applicant's lawful presence. The bill

requires the department to verify that an applicant for a driver's license is a Missouri resident or national of the United States or a noncitizen with a lawful immigration status before accepting the application. The license cannot be issued for a period that exceeds the duration of the applicant's lawful immigration status.

For the renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, a photocopy of an applicant's United States birth certificate along with another form of identification approved by the department, including any United States military identification or discharge papers, will be sufficient proof of Missouri citizenship.

If an applicant for the renewal of a noncommercial driver's license or instruction permit or a nondriver's license is not at least 65 years of age with a previously issued Missouri noncommercial license or instruction permit or nondriver's license or does not have the required documents to prove Missouri residency, United States naturalization, or lawful immigration status but has held a Missouri noncommercial license or instruction permit or nondriver's license for at least 15 years, the department may issue a one-time only, one-year renewal license or permit.

HB 373 — GENERAL EDUCATIONAL DEVELOPMENT REVOLVING FUND *(Vetoed by the Governor)*

This bill creates the General Educational Development (GED) Revolving Fund to be administered by the Commissioner of Education consisting of fees charged to GED test applicants and examinees. After appropriation, the moneys in the fund will be used for the costs of test administration, which are specified in the bill. All moneys collected through cost-recovery activities will be credited to the fund, moneys remaining at the end of the biennium will not revert to the General Revenue Fund, and any accruing interest will be credited to the GED Revolving Fund annually.

SS HCS HB 381 — FEE OFFICE CONTRACTS

This bill requires the Director of the Department of Revenue to award fee office contracts through a competitive bidding process and give preference to organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of the federal Internal Revenue Code and to political subdivisions. The State Auditor may audit all records of fee offices in the same manner as any state agency.

HCS HB 382 — MORTGAGE BROKERS

This bill repeals the Residential Mortgage Brokers License Act and establishes in its place the Missouri Secure and Fair Enforcement for Mortgage Licensing and Residential Mortgage Brokers Licensing Act. In its main provisions, the bill:

(1) Requires, beginning July 31, 2010, or the later date approved by the Secretary of the United States Department of Housing and Urban Development, an individual engaging in the business of a mortgage loan originator to be licensed, employed, and acting under the supervision of a single, Missouri-licensed residential mortgage broker with the exception of certain specified individuals. Each licensed mortgage loan originator must register with and maintain a valid unique identifier issued by the Nationwide Mortgage Licensing System and Registry (NMLSR). The unique identifier must be clearly shown on all residential mortgage loan application forms, solicitations, or advertisements, including business cards, web sites, and any other documents as required by the Director of the Division of Finance within the Department of Insurance, Financial Institutions and Professional Registration (Section 443.706, RSMo);

(2) Requires an independent contractor who is engaged in the activities of a loan processor or underwriter for a Missouri residential real estate loan to be licensed and to maintain a valid unique identifier issued by the NMLSR. The independent contractor must certify annually under oath to the division director that he or she will not engage in the activities of a mortgage loan originator absent full compliance with the provisions regarding mortgage loan originators (Section 443.707);

(3) Allows the division director to establish licensing rules or regulations and interim procedures for the licensing and acceptance of applications and to establish expedited review and licensing procedures for individuals previously licensed as or who were previously an ultimate equitable owner of a residential mortgage loan broker (Section 443.709);

(4) Authorizes the division director to establish relationships or contracts with the NMLSR or other entities designated by the NMLSR to collect and maintain records and process fees related to licensees or other persons subject to the act. An applicant for licensing as a mortgage loan originator must provide, at a minimum, the following information concerning his or her identity to the NMLSR:

(a) Fingerprints for submission to the Federal Bureau of Investigation and any authorized governmental agency or person for a state, national, and international criminal history background check; and

(b) Personal history and experience including an independent credit report and information related to any administrative, civil, or criminal findings by any governmental jurisdiction; however, no applicant can be denied a license solely on the basis of a credit score (Section 443.711);

(5) Prohibits the division director from issuing or renewing a mortgage loan originator license unless he or she determines, at a minimum, that the applicant:

(a) Has never had a mortgage loan originator license revoked;

(b) Has not been convicted of or pled guilty or nolo contendere to a felony in a domestic, foreign, or military court in the preceding seven-year period or at any time if the felony involved fraud, dishonesty, a breach of trust, or money laundering;

(c) Has demonstrated financial responsibility, character, and general fitness to command confidence of the community;

(d) Has completed the prelicensing education requirements including at least 20 hours of NMLSR-approved courses in specified areas;

(e) Has completed, in the case of licensure renewal, at least eight hours of continuing education per year in specified areas;

(f) Has passed a written test meeting the requirements of the act; and

(g) Has met the Missouri surety bond requirements of the act or the requirements have been met by the applicant's employer (Section 443.713);

(6) Requires the division director to establish a process whereby mortgage loan originators can challenge information entered into the NMLSR by the division director (Section 443.727);

(7) Allows the division director to deny, suspend, revoke, condition, or decline to renew a license for violations against the act or for withholding information or making a material misstatement in a license or renewal application. The division director can order restitution and impose fines on any person violating the provisions of the act (Section 443.729);

(8) Authorizes the division director to conduct investigations and examinations regarding compliance with the provisions of the act (Section 443.735);

(9) Prohibits any person or individual subject to the act from:

(a) Directly or indirectly employing any scheme, device, or artifice to defraud or mislead borrowers or lenders or to defraud any person;

(b) Engaging in any unfair or deceptive practice toward any person;

(c) Obtaining property by fraud or misrepresentation;

(d) Soliciting or entering into a contract with a borrower who allows the person or individual to earn a fee or commission when no loan is actually obtained by the borrower;

(e) Soliciting, advertising, or entering into a contract for specific interest rates, points, or other financing terms unless the terms are actually available at the time of soliciting, advertising, or contracting;

(f) Conducting business or assisting, aiding, or abetting any person in conducting business without holding a valid license or having the required employment;

(g) Requiring a borrower to obtain property insurance coverage in an amount that exceeds the replacement cost of improvements; and

(h) Failing to truthfully account for moneys belonging to a party to a residential mortgage loan transaction (Section 443.737); and

(10) Requires mortgage loan brokers to disclose all fees and compensation with the borrower (Section 443.867).

The bill contains an emergency clause.

CCS SS SCS HCS HB 390 — UNAUTHORIZED ALIENS AND CONSTRUCTION SAFETY PROGRAMS

This bill changes the laws regarding unauthorized aliens and construction safety programs. In its main provisions, the bill:

(1) Prohibits college or university students who are unlawfully present in the United States from receiving certain types of financial aid, including institutional aid awarded by public postsecondary educational institutions and state-administered postsecondary grants and scholarships awarded by all postsecondary educational institutions. Documents which may be used to verify a student's lawful presence in the United States are specified, including the Free Application for Student Aid Institutional Student Information Record; a state-issued driver's license or nondriver's identification card; documentary evidence accepted by the Department of Revenue when processing an application for a driver's license or nondriver's identification card; a United States birth certificate; a United States military identification card; or any document issued by the federal government that confirms lawful presence. All postsecondary institutions of higher education must annually certify to the Department of Higher Education that they have not knowingly awarded financial aid to a student who is unlawfully present in the United States (Section 173.1110, RSMo);

(2) Specifies that postsecondary education public benefits, municipal permits, and contracts or agreements between public utility providers and their customers will not be considered public benefits in

the provisions that prohibit aliens unlawfully present in the United States from receiving a state or local public benefit. No additional verification is required within the same state or local government agency once the lawful presence of an applicant for public benefits has been verified through the Systematic Alien Verification for Entitlements Program. The bill clarifies that the provisions that prohibit aliens unlawfully present in the United States from receiving a state or local public benefit does not apply to nonprofit organizations duly registered with the federal Internal Revenue Service (Section 208.009);

(3) Specifies that certain entities which contract with the state or any of its political subdivisions only have to provide the affidavits attesting to participation in a federal work authorization program and nonemployment of unauthorized aliens on an annual basis and allows, during or immediately after a natural or manmade disaster, business entities 15 working days to enroll and participate in a federal work authorization program as a condition for the award of certain public contracts (Section 285.530);

(4) Specifies that the requirement that certain businesses must participate in a federal work authorization program will not apply after the date the federal government discontinues or fails to authorize or implement the program (Section 285.555); and

(5) Clarifies that an on-site employee of a contractor or subcontractor on a public works project must complete within 60 days of beginning work on the project or must have previously completed a 10-hour Occupational Safety and Health Administration (OSHA) construction safety program or similar program approved by the Department of Labor and Industrial Relations (Section 292.675).

The bill contains an emergency clause.

CCS SS SCS HB 395 — LONG-TERM CARE FACILITIES

This bill changes the laws regarding long-term care facilities and residents and home and community-based care assessments.

FIRE SAFETY STANDARDS IN NURSING HOMES (Sections 198.074 and 198.075, RSMo)

Any section of a licensed nursing home facility in which a major renovation has been completed on or after August 28, 2007, must install and maintain an approved sprinkler system in accordance with National Fire Protection Association (NFPA) 13. The fire sprinkler exemption for certain skilled nursing and intermediate care facilities of existing residential board and care occupancies of NFPA life safety code is removed.

If a facility submits a plan of compliance for the installation of a sprinkler system required under state

law, the facility must install a complete fire alarm system that complies with NFPA 72 upon installation of the sprinkler system. Until the sprinkler system is installed in the facility which has submitted a plan, each resident room or any room designated for sleeping in the facility must be equipped with at least one battery-powered smoke alarm and be installed, tested, and maintained in accordance with the federal standard. The facility must also be equipped with heat detectors interconnected to the fire alarm system which are installed, tested, and maintained in accordance with the federal standard in certain specified areas of the facility. The current requirement that interconnected smoke detectors be in place throughout the facility is removed. All department inspectors who inspect facilities for compliance of these provisions must complete a fire inspector course, as developed by the Division of Fire Safety within the Department of Public Safety, by December 31, 2012.

The bill specifies that the Fire Safety Standards Loan Fund can be used to implement the sprinkler requirements for certain qualifying residential care and assisted-living facilities and all types of qualifying skilled nursing and intermediate care facilities. The administration of the fund is transferred from the Department of Health and Senior Services to the State Treasurer's Office.

The State Fire Marshal must annually conduct a fire safety inspection of all licensed residential care and assisted-living facilities instead of the local fire protection district or fire department which is currently allowed.

BONDS FOR LONG-TERM CARE RESIDENTS' PROPERTY IN TRUST (Section 198.096)

Currently, a bond must be obtained and filed with the Department of Health and Senior Services for a long-term care facility that holds a resident's property in trust in an amount equal to one and one-half times the amount of the average monthly balance or average total of the monthly balances, rounded to the nearest \$1,000, for the preceding calendar year. The bill changes the amount to the average balance for the preceding 12 months.

CRIMINAL BACKGROUND CHECKS (Section 198.187)

Any licensed long-term care facility may request a criminal background check of any resident in its facility.

INSPECTORS AND SURVEYORS (Sections 198.525 and 198.527)

The Department of Health and Senior Services is prohibited from assigning an individual to inspect or survey a licensed long-term care facility in which the

inspector or surveyor was an employee of the facility within the preceding two years.

The department must require disclosure statements from newly hired and currently employed inspectors and surveyors of long-term care facilities regarding their past employment in long-term care facilities and the current or past employment of any immediate family members in long-term care facilities.

Any person may notify the department if facts exist that would lead a reasonable person to conclude that an inspector or surveyor has a personal or business affiliation that would result in a conflict of interest in conducting an inspection or survey of a facility. Upon receiving the notice, the department must take steps to verify the information. If the department has probable cause to believe that it is correct, it must not assign the inspector or surveyor to the facility or any facility within its organization in order to avoid an appearance of prejudice or favor to the facility or bias on the part of the inspector or surveyor.

The responsibility of ensuring the uniform application of regulation standards in long-term care facilities is transferred from the Department of Social Services to the Department of Health and Senior Services.

MISSOURI INFORMAL DISPUTE RESOLUTION ACT (Section 198.545)

The Missouri Informal Dispute Resolution Act is established which requires the Department of Health and Senior Services to contract with the federally designated Medicare Quality Improvement Organization in the state to conduct informal dispute resolutions (IDRs) for licensed long-term care facilities. The IDR process will constitute an informal administrative process but cannot be construed to be a formal evidentiary hearing and must be used to determine if a cited deficiency of a facility should be upheld. The department must incorporate by reference the provisions of federal rules regarding the IDR process and include the following minimum requirements:

(1) Notification by the department to the facility by certified mail and the availability of an IDR and the IDR process within 10 working days of any deficiency found during an inspection survey. The facility has 10 days after the receipt of the statement of deficiencies to return a plan of correction to the department or request in writing an IDR conference to refute the cited deficiencies; and

(2) Conducting an IDR conference by the quality improvement organization (QIO) within 10 days of a requested IDR by a facility. The QIO must make a determination regarding the resolution of the IDR within 10 days of the conference and transmit the decision and rationale for the outcome in writing to

the facility and the department. If the department disagrees with the determination, it must transmit the department's decision and rationale for the reversal of the decision to the facility within 10 days. If the QIO determines that the original statement of deficiencies should be changed, the department must transmit a revised statement to the facility within 10 days of the decision. The facility must submit a plan of correction to the department within 10 days of receipt of the QIO determination and the revised statement of deficiencies.

PERSONAL NEEDS ALLOWANCE (Section 208.016)

The bill codifies into statute the current practice as permitted under federal law of granting a monthly personal needs allowance for MO HealthNet Program participants in long-term care facilities. Currently, the allowance is set annually by appropriation at \$30 a month. The bill specifies that, beginning January 1, 2010, the allowance must be increased by an amount equal to the product of the percentage of the Social Security benefit cost-of-living adjustment and the average amount that MO HealthNet participants are required to contribute to the cost of institutionalized care but must not exceed \$5 in any year. Once the allowance reaches \$50 a month, there will be no further increases unless authorized by annual appropriation.

HEALTH CARE PROVIDER ALLOWANCE TAXES (Sections 208.437, 208.480, 338.535, 338.550, and 633.401)

The bill extends the expiration date from June 30, 2009, to September 30, 2011, for the Missouri Medicaid Program's managed care organization reimbursement allowance in Sections 208.431 - 208.437 and the pharmacy reimbursement allowance tax in Sections 338.500 - 338.550.

The expiration date of the federal reimbursement allowance assessment for hospitals in Sections 208.453 - 208.480 is extended from September 30, 2009, to September 30, 2011, and the assessment for intermediate care facilities for the mentally retarded is extended from June 30, 2009, to September 30, 2011.

NURSING HOME TRANSITION GRANTS (Section 208.819)

Currently, MO HealthNet participants with disabilities transitioning from nursing homes back into the community are eligible for a one-time grant of up to \$1,500 to offset costs associated with housing a person with disabilities. Subject to appropriations, the bill increases the grant amount to \$2,400, allows senior citizens to be eligible for the grant, and moves grant administration from the Division of Vocational

Rehabilitation within the Department of Elementary and Secondary Education to the Division of Senior and Disability Services within the Department of Health and Senior Services in consultation with the Department of Social Services.

The bill also changes the responsibility for developing information and training on community-based service options for residents transitioning into the community from the Division of Medical Services within the Department of Social Services, the Division of Vocational Rehabilitation within the Department of Elementary and Secondary Education, and the Department of Health and Senior Services to the departments of Health and Senior Services and Mental Health.

HOME AND COMMUNITY-BASED CARE ASSESSMENTS (Section 1)

Procedures are established for reimbursements for home and community-based services by the Department of Health and Senior Services to in-home providers who complete assessments for prospective recipients of MO HealthNet-funded home and community-based care.

The bill contains an emergency clause for the provisions regarding the health care provider allowance taxes.

CCS SCS HCS HB 397 & HCS HB 947 — POLICE RETIREMENT SYSTEMS

This bill changes the laws regarding retirement based on disability in the police retirement systems of Kansas City and St. Louis.

POLICE RETIREMENT SYSTEM OF KANSAS CITY

The bill changes the retirement benefits of any member of the Police Retirement System of Kansas City who retired due to being permanently disabled or any eligible surviving spouse of a member who died in service on or before August 28, 2009. If the member's or surviving spouse's current retirement benefit is less than \$600 per month, excluding supplemental retirement benefits, he or she may be appointed as a consultant to the board and will receive \$600 per month until the member's or surviving spouse's current total base pension and cost-of-living adjustments exceed \$600 per month.

POLICE RETIREMENT SYSTEM OF ST. LOUIS

The bill:

(1) Defines "reserve officer" as it relates to the Police Retirement System of St. Louis as any member of the police reserve force, armed or unarmed, who works less than full time without compensation and who, by his or her assigned function or as implied by his or her uniform, performs duties associated with

those of a police officer and who currently receives retirement benefits;

(2) Specifies that a reserve officer will not be considered a member of the system for the purpose of determining creditable service, nor will any contributions be due. A reserve officer will not be entitled to any benefits other than those awarded upon his or her original retirement. Service as a reserve officer will not prohibit distribution of these benefits;

(3) Eliminates the medical board of physicians that arranges for required disability-related medical examinations and replaces it with a medical director who must appoint doctors to investigate the physical and mental conditions of applicants for disability retirement. The medical director must report in writing to the board of trustees of the system on the doctor's conclusions and recommendations in connection with an application for disability retirement;

(4) Allows a member who has completed at least 10 years of creditable service and who becomes permanently unable to perform the duties of a police officer as the result of an injury or illness not exclusively caused or induced by his or her official duties or by his or her negligence to retire upon certification of the medical director and approval by the board of trustees;

(5) Allows a member who is permanently disabled exclusively as the result of an accident occurring within the actual performance of duty at some definite time and place to retire upon certification by the medical director and the approval of the board of trustees. The member must apply for disability within five years of the accident, unless the accident was reported within five years and the member was examined by a health care provider supplied by the board of police commissioners within 30 days of the accident;

(6) Allows the board to require a member who retires because of disability and is younger than 60 years of age to submit to a medical examination yearly for the first five years following his or her retirement and at least once every three years thereafter. If the retiree refuses to submit to a medical examination, his or her disability pension may be discontinued. If the retiree continues to refuse for one year, his or her pension may be revoked; and

(7) Specifies that the disability pension will end if the medical director certifies to the board of trustees that a member who retired because of disability is able to perform the duties of a police officer and the board agrees. If the officer returns to active service, the period of time during which the officer received a disability pension will not be included in his or her time of service.

The bill contains an emergency clause for the provisions regarding a surviving spouse being appointed as a consultant for the Police Retirement System of Kansas City.

HB 400 — FREE PARKING FOR CERTAIN VETERANS

Upon the approval of a local authority's governing body, this bill allows a veteran displaying a Congressional Medal of Honor, Prisoner of War, Silver Star, or PURPLE HEART special license plate to park his or her motor vehicle without charge in a metered parking space within the authority's jurisdiction if it is less than 6,000 pounds gross weight. A veteran who has been awarded the Bronze Star may apply to the Director of the Department of Revenue for a windshield placard which will allow him or her to also park without charge in a metered parking space if the placard is hung from the front, middle rearview mirror or displayed on the dashboard on the driver's side if there is no rearview mirror. Certain vehicle and parking restrictions are specified.

CCS SCS HCS HB 427 — MEMBERS OF THE MILITARY, VETERANS, AND THEIR FAMILIES

This bill changes the laws regarding members of the military, veterans, and their families. In its main provisions, the bill:

(1) Designates May 1 of each year as "Silver Star Families of America Day" to honor the wounded soldiers of this state and the efforts of the Silver Star Families of America to honor the wounded members of the United States armed forces;

(2) Allows the Adjutant General to assign the number of assistant adjutants general that are authorized by the rules and regulations of the National Guard Bureau of the United States. The assistants are required, if they qualify, to hold military rank as may be authorized and approved for the positions by the bureau. Currently, the Adjutant General may only assign two assistants;

(3) Increases the membership of the Missouri Veterans' Commission from five to nine. Two members will be from the House of Representatives, one appointed by the Speaker and one by the Minority Floor Leader; and two members will be from the Senate, one appointed by the President Pro Tem and one by the Minority Floor Leader;

(4) Authorizes the commission to establish rules and regulations necessary for the management and administration of its veteran service programs and cemeteries;

(5) Revises the educational grant program for survivors of war veterans by defining who is a

qualifying military member and who is a combat veteran;

(6) Requires a dependent of an active duty military member, as defined in federal law, who is residing in Missouri and whose parent is assigned to permanent duty in the state to be eligible for in-state tuition as long as he or she is continuously enrolled in an undergraduate or graduate degree program of a Missouri higher education institution including any transfers from one Missouri institution to another or from an undergraduate to a graduate degree program;

(7) Allows the unclaimed cremated remains of a veteran to be collected by a veterans' service organization for the purpose of interment if the remains have been in possession of a funeral establishment for at least one year and the funeral establishment has given written notice to the person who is entitled to the remains and that person has not claimed the remains within the specified time frame. If the address of the person entitled to the remains cannot be reasonably ascertained, notice must be given in a newspaper of general circulation in the county of the veteran's residence. If the veteran's residence is unknown, notice must be given in the county where the veteran died or, if the death location is unknown, in the county in which the funeral establishment is located. If the remains are not claimed within 30 days of the mailing of the written notice or within four months of the date of the first newspaper publication, the remains may be given to a veterans' service organization for interment. A veterans' service organization is not liable for simple negligence if it interments and does not scatter the cremated remains and does not know or has no reason to know that the remains do not satisfy the requirements of this section but must take all reasonable steps to inter the remains in a veterans' cemetery;

(8) Establishes an interstate interchange designation program to be known as the Heroes Way Interstate Interchange Designation Program to honor fallen Missouri heroes who have been killed in action while in active military duty with the armed forces in Afghanistan or Iraq on or after September 11, 2001, and who were residents of this state at the time of their death. Any person related by marriage, adoption, or within the second degree of consanguinity to the military member who was killed may apply to the Department of Transportation for a designation. The application and approval process is specified; and the Highways and Transportation Commission is authorized to establish a fee to cover, but not exceed, the costs of constructing and maintaining the signs;

(9) Designates the portion of the Poplar Bluff bypass located in Butler County from State

Highway 60 where it crosses over the Black River to State Highway 67 where it crosses State Route M as the "Veterans Memorial Highway";

(10) Authorizes the Department of Revenue to provide one set of "PURPLE HEART" specialized license plates free of charge other than the regular registration fees to any person who has been awarded the medal. Any additional set of special license plates may be obtained at the current fee for specialized plates but will only be required to be paid once at the time of the initial application;

(11) Allows for a special license plate designated "Armed Forces Expeditionary Medal" for any person who has been awarded this military service award. To obtain this plate, a person must make application, furnish proof as a recipient of the Armed Forces Expeditionary Medal, and pay a \$15 fee to the department in addition to the registration fee and any other documents required by law;

(12) Allows, upon the approval of a local authority's governing body, a veteran displaying a Congressional Medal of Honor, Prisoner of War, Silver Star, or PURPLE HEART special license plate to park his or her motor vehicle without charge in a metered parking space within the authority's jurisdiction if it is less than 6,000 pounds gross weight. A veteran who has been awarded the Bronze Star may apply to the Director of the Department of Revenue for a windshield placard which will allow him or her to also park without charge in a metered parking space if the placard is hung from the front, middle rearview mirror or displayed on the dashboard on the driver's side if there is no rearview mirror. Certain vehicle and parking restrictions are specified; and

(13) Requires all court orders regarding child custody or visitation or an ex parte order of protection issued or modified while either party is in active military service and deployed out-of-state to be temporary in nature unless the party in active service knowingly and voluntarily signs a waiver to the right to have the hearing upon his or her return. Upon return from deployment, the party will be given an opportunity to be heard on the child custody and visitation order or the order of protection before a permanent order is entered.

SS HCS HB 481 — COURTS AND JUDICIAL PROCEEDINGS

This bill changes the laws regarding courts and judicial proceedings. In its main provisions, the bill:

(1) Allows the county commission in third and fourth classification counties to appoint the county surveyor if no qualified candidate has filed for the office by the filing deadline in the general election when that office would have been on the ballot and

the required notice in Section 115.345, RSMo, has been published in at least one newspaper of general circulation in the county (Section 60.010);

(2) Raises the maximum fine for all municipal ordinance violations in the City of Kansas City from \$500 to \$1,000 except for ordinances requiring compliance by an industrial user with a pretreatment standard or requirement (Section 82.300);

(3) Allows the City of Kansas City to adopt ordinances to authorize the city building official or his or her representative to petition the circuit court in the county in which a vacant nuisance building or structure is located for the appointment of a receiver to rehabilitate, demolish, or sell the building or structure to a qualified buyer (Section 82.1026);

(4) Requires the St. Louis City Police Department to have no more than five members with the rank of lieutenant colonel and other ranks and number of members within each rank as the Board of Police Commissioners deems necessary and requires members of the St. Louis City reserve police force to be retired city officers and gives them the same powers as regular officers (Sections 84.150 and 84.175);

(5) Authorizes an additional county collector fee of 5% on all moneys collected from delinquent and back taxes in the counties of Jackson and St. Louis which can be added to the tax bill and collected accordingly (Section 141.160);

(6) Establishes a tuition and fee waiver program beginning with the 2010 fall term for incoming Missouri resident college freshmen who have been in foster or residential care at certain times (Section 173.270);

(7) Specifies that the state will no longer require families receiving Temporary Assistance for Needy Families (TANF) benefits to assign the right to receive any pre-existing child support arrearages occurring before the family received TANF benefits. Families will continue to assign child support arrearages that become due while they receive temporary assistance (Sections 208.040 and 208.055);

(8) Specifies that a detainer will not be lodged against any person confined in a correctional facility until the Director of the Department of Corrections receives a certified copy of a warrant and a written request by the issuing agency to place the detainer. Failure of the director to comply will not be the basis for dismissing the indictment, information, or complaint unless the court also finds that the offender has been denied the constitutional right to a speedy trial (Sections 217.450 and 217.460);

(9) Designates the portion of Interstate 64/ U.S. Highway 40 from the McClausland/Sinker interchange east to the Interstate 64/Interstate 55 interchange as the "Jack Buck Memorial Highway" (Section 227.409);

(10) Repeals provisions regarding the cutting requirements of a person owning a hedge fence situated along the right-of-way of any public road (Section 229.110);

(11) Authorizes the Secretary of State to charge a \$45 fee for a corporate filing of the original articles of organization in an electronic format (Chapters 347, 351, 355, and 356);

(12) Allows the Secretary of State to administratively cancel the articles of organization of limited liability companies and limited liability partnerships if the period of duration on the articles expires and the company or partnership does not amend the articles in a timely manner. The Secretary of State may administratively reinstate the company's or partnership's status under certain circumstances (Sections 347.183 and 359.681);

(13) Allows, beginning January 1, 2010, a corporation to file a corporate registration report on a biennial basis and to change the month of its corporate registration report by designating the desired month and paying an additional \$20 fee. Corporations incorporated in an even-numbered year may only file a report in an even-numbered year, and corporations incorporated in an odd-numbered year may only file a report in odd-numbered years. The fee for filing the biennial report will be \$80 if filed in a written format and \$30 if in an electronic format. Any corporation filing a biennial report must maintain the registration for two years, but may choose to file an annual registration in subsequent years. The Secretary of State is allowed to collect an additional \$10 fee for each biennial corporate report filed to be credited to the Secretary of State's Technology Trust Fund Account (Chapters 351, 355, and 356);

(14) Changes the deadline when the Secretary of State may commence a proceeding to dissolve a corporation for failing to deliver its corporate registration report to within 90 days after it is due. Currently, the Secretary of State may commence a proceeding if the report is not delivered within 30 days after it is due (Sections 351.125, 351.484, and 355.706);

(15) Limits the total duration for which a corporate name can be reserved to 180 days. Currently, the Secretary of State reserves a corporate name for an applicant's exclusive use for a 60-day period (Section 355.151);

(16) Establishes guidelines for the actual charges and actual fees collected regarding an individual or a group specified disease insurance policy (Section 376.789);

(17) Specifies that operating a motorcycle, in and of itself, will not be considered evidence of comparative negligence in any action to recover damages arising out of the ownership, common maintenance, or operation of a motor vehicle. When investigating

an accident or settling a claim, no insurer, agent, producer, or claims adjuster can assign a percentage of fault to a party based upon the sole fact that the party was operating a motorcycle in an otherwise legal manner (Sections 379.130 and 537.055);

(18) Requires only the last four digits of a person's Social Security number to be listed on certain court filing documents and the full number to be kept confidential (Chapters 452 and 454 and Section 509.520);

(19) Removes the provision allowing courts to appoint volunteer advocates to assist guardians ad litem (Section 452.423);

(20) Allows a judge to take any action necessary and reasonable to prevent an international abduction of a child by a parent (Section 452.426);

(21) Repeals the Uniform Child Custody Jurisdiction Act and establishes in its place the Uniform Child Custody Jurisdiction and Enforcement Act. The act specifies the procedures, priorities, and factors to be considered in initial custody jurisdiction determinations, continuing jurisdiction determinations, modification of custody determinations, and emergency orders (Sections 452.440 - 452.550 and 452.700 - 452.930);

(22) Revises the definition of "adult" as it relates to adult abuse by lowering the age from a person 18 years of age or older to a person 17 years of age or older (Section 455.010);

(23) Requires the public administrator to serve as the trustee or successor trustee when appointed by the circuit court or the probate division of the circuit court (Section 473.743);

(24) Allows an individual 18 years of age or older who has been adjudged incapacitated under Chapter 475 or who has been involuntarily committed under Chapter 632 to petition the probate court for a removal of the disqualification to purchase, possess, or transfer a firearm. Individuals must prove that they no longer suffer from the condition that rendered them incompetent and that they pose no danger to themselves or others. If the court grants the petition, the county clerk must forward the order to the State Highway Patrol to update the National Instant Criminal Background Check System (Section 475.375);

(25) Removes the municipal court judge member from the Commission on Judicial Resources and requires the Clerk of the Missouri Supreme Court to provide suitable staff for the commission out of appropriated funds (Section 476.415);

(26) Removes the provision that allows a deposition prepared by a non-certified court reporter to be used in any court under certain circumstances (Section 485.077);

(27) Repeals provisions allowing a statute of limitation to not apply for the period of time that a Missouri resident resides out of the state (Section 516.200);

(28) Requires a person to appear on a service of summons no less than 10 days nor more than 60 days from the date the summons was delivered instead of the current nor more than 30 days and removes the requirement that if the claim exceeds the jurisdictional limits of the court division it must be certified to the presiding judge for assignment (Section 517.041);

(29) Removes the requirement that the clerk of the court send notice to a person who has had a default judgment entered against them in an eviction action by certified mail with return receipt requested and requires it to be sent by ordinary mail (Section 535.030);

(30) Changes when an eviction proceeding can commence from when the rent is six months in arrearage to when it is one month in arrearage (Section 535.120);

(31) Requires the judge or jury to visit the nuisance site in a private nuisance action where the amount in controversy exceeds \$1 million if requested by either party (Section 537.296);

(32) Specifies that any claim filed against any public entity under the Missouri Human Rights Act will be subject to the penalties in successor rule to Missouri Supreme Court Rule 55.03 (Section 537.610);

(33) Removes the requirement that court costs be assessed against the prosecutor in trespass cases if the defendant is acquitted or the prosecution fails (Section 545.050);

(34) Removes the requirement that when using two-way audio-visual communication for certain criminal proceedings a full record of the proceeding must be made by split-screen imaging and recording of the proceedings in the courtroom and the place of custody or confinement when a person in custody is required to be present in court. Two-way audio-visual communications are allowed for preliminary hearings with the consent of the defendant, in civil or criminal proceedings which are not required to be a matter of record, or by the consent of the parties (Section 561.031);

(35) Allows the Division of Developmental Disabilities within the Department of Mental Health to contract directly with providers of targeted case management services for clients of the division in a defined region that has not established a local developmental disability services board, commonly known as a Senate Bill 40 board (Section 630.407);

(36) Specifies that circuit courts do not have to use a beyond-a-reasonable-doubt standard when

determining if an individual is a sexually violent predator and for DNA profiling analysis (Section 650.055);

(37) Allows the court, upon motion, to award court costs and attorney fees to the state in child support modification cases where the state is a party (Section 1);

(38) Requires all public advertisements and orders of publication required by law including, but not limited to, amendments to the Missouri Constitution, legal publications affecting sales of real estate under a power of sale in a mortgage or deed of trust, and other legal publications affecting the title to real estate to be published in a newspaper of general circulation (Section 2);

(39) Prohibits any political subdivision of the state and any local government or any agency, authority, board, commission, or department or its officers from enacting any ordinance or establishing or issuing any regulation, rule, policy, guideline, or proclamation describing the relationship between persons and domestic animals as other than persons may own domestic animals (Section 3); and

(40) Specifies that nothing in the Fire Safety Standard and Firefighter Protection Act can be interpreted or applied to permit noncompliance with other applicable statutes and case law (Section 4).

HCS HB 485 — SEISMIC SAFETY COMMISSION

This bill removes the requirement that one member, but specifies that no more than two, of the Seismic Safety Commission within the Department of Public Safety be appointed from each of the specified professional areas and adds public education to the list of professional areas from which members are to be appointed. The bill also specifies that a quorum will consist of a majority of the appointed members, but not less than seven, and may be met by electronic attendance and the nonvoting participation of the staff of the legislative members of the commission. Currently, a quorum must consist of nine members.

HB 490 — A+ SCHOOLS PROGRAM

Currently, two-year public or private vocational or technical schools that provide services to students under the A+ Schools Program must be accredited by the Higher Learning Commission and a member of the North Central Association of Colleges and Schools, must be designated as nonprofit organizations, and are prohibited from receiving reimbursements in excess of the rate charged by a public community college. This bill clarifies that these requirements are applicable to private schools only and not to public vocational or technical schools.

SCS HB 506 — MATH, ENGINEERING, TECHNOLOGY AND SCIENCE WEEK

This bill requires the Governor to issue an annual proclamation designating the first week of March as “Math, Engineering, Technology and Science (METS) Week.” The proclamation must recommend observance of the week through activities that will result in an increased awareness of the importance of advancing community interest in METS programs and promote METS careers statewide to advance Missouri’s workforce. The bill also recommends that the week be observed with appropriate activities in public schools.

HCS HB 525 — AUTISM

This bill requires the Division of Developmental Disabilities within the Department of Mental Health to establish programs and services for individuals diagnosed with autism in conjunction with individuals with autism, the families of persons with autism, the regional parent advisory councils, and the newly established Missouri Parent Advisory Committee on Autism to enhance a person with autism spectrum disorders and his or her family’s ability to meet the needs they identify. The committee members will be appointed by the division director and must submit an annual report to the Missouri Commission on Autism Spectrum Disorders, the Governor, and the department and division directors.

The division director, with input from the parent advisory committee, must divide the state into at least five regions and establish autism programs and services which are responsive to the needs of persons with autism and their families consistent with contemporary and emerging best practices. Each regional project must have a regional parent advisory council with its membership and responsibilities specified in the bill.

HB 537 — CONVEYANCE IN ST. LOUIS CITY

This bill authorizes the Governor to convey state property located in St. Louis City, which is currently being used by the Department of Corrections as a minimum security correctional facility, to the Highways and Transportation Commission for the new Mississippi River Bridge project.

SCS HB 544 — OVERSIGHT OF PUBLIC FUNDS (Vetoed by the Governor)

This bill changes the laws regarding the oversight of public funds and access to the dome of the State Capitol.

JOINT COMMITTEE ON RECOVERY ACCOUNTABILITY AND TRANSPARENCY

The bill establishes the Joint Committee on Recovery Accountability and Transparency to coordinate and conduct oversight of moneys received by the state and any political subdivision from the American Recovery and Reinvestment Act of 2009, commonly known as the federal economic stimulus act, to prevent fraud, waste, and abuse. The committee will consist of four members; two each from the House of Representatives and the Senate to be appointed by the Speaker and the President Pro Tem respectively. The duties of the committee include:

- (1) Reviewing whether the reporting of contracts and grants using these funds meet applicable standards and specify the purpose of the contract or grant and performance measures;
- (2) Reviewing whether applicable competition requirements to contracts and grants using these funds have been satisfied;
- (3) Reviewing these funds to determine whether wasteful spending, poor contract or grant management, or other abuses are occurring and referring appropriate matters for investigation to the Attorney General or the agency that disbursed the funds;
- (4) Receiving regular reports from the Commissioner of the Office of Administration, or his or her designee, regarding these funds;
- (5) Submitting annual reports to the Governor and General Assembly that summarize its findings. All reports must be made publicly available and posted on the Governor's, the General Assembly's, and each state agency's web site except for portions which would disclose information that is not subject to disclosure under state law; and
- (6) Making recommendations to agencies on measures to prevent fraud, waste, and abuse regarding these funds. No later than 30 days after receipt of a recommendation, an agency must submit a report to the Governor and General Assembly stating whether the agency agrees or disagrees with the recommendation and any action the agency will take to implement the recommendations.

MISSOURI ACCOUNTABILITY PORTAL

The Commissioner of the Office of Administration is required to maintain the Missouri Accountability Portal established in Executive Order 07-24 as a free, Internet-based tool allowing citizens to demand fiscal discipline and responsibility. The portal will consist of an easy-to-search database of financial transactions related to the purchase of goods and services and the distribution of funds for state programs. The portal must be updated each business day and

maintained as the primary source of information about the activities of state government.

ACCESS TO THE STATE CAPITOL DOME

The commissioner must provide each member of the General Assembly with a key that accesses the dome of the State Capitol.

The provisions of the bill regarding the joint committee will expire March 1, 2012.

CCS SS SCS HCS HB 577 — REGULATION OF INSURANCE

This bill changes the laws regarding the regulation of insurance.

TAXATION OF INSURANCE COMPANIES (Sections 143.441, 147.010, and 148.370, RSMo)

Currently, insurance companies which pay an annual tax on gross premium receipts are exempt from Missouri corporate income and franchise taxes. The bill specifies that insurance companies which are subject to an annual tax on gross premium receipts are exempt from Missouri corporate income and franchise taxes.

MO HEALTHNET DATA TRANSPARENCY (Section 208.192)

The MO HealthNet Division within the Department of Health and Senior Services must implement, by August 28, 2010, a program to make available on its Internet web site nonaggregated data on MO HealthNet participants collected under the federal Medicaid Statistical Information System. The information must not contain any identifying information in accordance with the federal Health Insurance Portability and Accountability Act privacy requirements. When implementing the program, the division director is required to ensure that:

- (1) The information is available in a format that is easily accessible, useable, and understandable to the public;
- (2) The information is current and updated at least once quarterly. The division director is authorized to contract with a public or private entity to update the data;
- (3) Health care provider information identifies the provider by name; and
- (4) The division director periodically solicits comments from individuals accessing the information to determine how best to improve the utility of the program.

Beginning August 28, 2011, the division director must submit an annual report to the General Assembly and the MO HealthNet Oversight Committee on the progress of the program. By August 28, 2011, the division director must submit a report to the General Assembly and the MO HealthNet Oversight

Committee on the feasibility, costs, and benefits of expanding the program to include information regarding the State Children's Health Insurance Program.

INSURANCE IDENTIFICATION CARDS

(Section 303.024)

The bill specifies that any person who knowingly or intentionally produces, manufactures, sells, or otherwise distributes a fraudulent document intended to serve as a motor vehicle insurance identification card will be guilty of a class D felony and any person who knowingly or intentionally possesses a fraudulent card will be guilty of a class B misdemeanor.

INTERSTATE INSURANCE PRODUCT REGULATION COMPACT

(Sections 374.350 - 374.352)

The bill establishes the Interstate Insurance Product Regulation Compact to develop uniform standards for certain insurance products and the Interstate Insurance Product Regulation Commission to create a central clearinghouse to receive and provide the prompt review of insurance products covered under the compact, provide appropriate regulatory approval, and improve the coordination of regulatory resources and expertise between state insurance departments. The compact is to promote and protect the interests of consumers of individual and group annuity, life insurance, disability income, and long-term care insurance products. The compact creates a single point to file products for regulatory review and approval and for certain insurance products and rate filings which would be subject to uniform national standards. States that are members of the compact will develop uniform standards that apply to products filed with the commission. If a product is approved under the compact, an insurer will be able to sell the product in multiple states without separate filings in each state. The compact will not prevent an insurance company from filing products in individual states through the existing form filing process.

Individual states will continue to regulate market activities and allow for the coordination among states to identify violations of the uniform standards. If a state disagrees with a product standard developed by the commission, the state can opt out of the uniform standard. For long-term care insurance, states can opt out at the time of joining the compact. All states joining the compact will be involved in setting up and overseeing the activities of the compact. The commission is required to report annually to the general assembly and governor in compacting states. The annual report must include the results of an audit by an independent certified public accountant.

BAIL BOND AGENTS (Section 374.776)

The Department of Insurance, Financial Institutions and Professional Registration is required to study licensing rules and other policies and procedures governing the bail bond industry in Missouri during the 2009 interim of the General Assembly. The department is authorized to hold public hearings and take testimony from interested parties. If public hearings are held, notice must be given to all licensed bail bond agents. The department must submit a report of its findings to the insurance committees of the House of Representatives and Senate by January 6, 2010.

INSURANCE PRODUCERS AND BROKERS

(Sections 375.020 and 382.400 - 384.062)

The bill changes the laws regarding insurance producers and brokers. In its main provisions, the bill:

(1) Adds entities that provide educational courses to producers to the list of programs which meet the standards for their continuing educational requirements;

(2) Changes the term "broker" to "producer" in Sections 382.400 - 382.409;

(3) Changes surplus lines license renewal requirements from annually with a \$50 fee to biennially with a \$100 fee;

(4) Requires surplus lines brokers to report quarterly to the Director of the Department of Insurance, Financial Institutions and Professional Registration the gross amount charged for surplus lines insurance and the amount of net premiums;

(5) Requires the Department of Revenue to notify the Director of the Department of Insurance, Financial Institutions and Professional Registration of the amount of all taxes, penalties, and interest collected from each surplus lines licensee;

(6) Repeals the provisions requiring the Department of Insurance, Financial Institutions and Professional Registration to annually report to the appropriate committees of the General Assembly on enforcement actions relating to health maintenance organizations, utilization review agents, and managed care health benefit plans; and

(7) Repeals the provisions regarding the reporting requirements for surplus lines insurance brokers and licensees.

AUDITED FINANCIAL REPORTS OF CERTAIN

INSURERS (Sections 375.1025 - 375.1057)

The bill changes the laws regarding audited financial reports for certain insurers. In its main provisions, the bill:

(1) Exempts insurers with less than \$1 million in direct premiums written in Missouri in any calendar year and less than 1,000 policies or certificate holders nationwide at the end of the calendar year from the financial report auditing requirements. The exemption will not apply if the Director of the Department of Insurance, Financial Institutions and Professional Registration finds that an audit is necessary to carry out statutory responsibilities or if the insurer has assumed premiums under contracts or treaties of reinsurance of \$1 million or more;

(2) Exempts foreign or alien insurers from filing a management's report of internal control over financial reporting when the insurer has filed a report in another state which has substantially similar requirements;

(3) Changes from 20 days to 10 days the deadline to request an extension of the June 1 filing date for audited financial reports;

(4) Specifies that a similar 30-day extension is granted for the filing of the management's report of internal control over financial reporting when an insurer has been granted an extension of the June 1 filing date for audit reports;

(5) Requires certain insurers to designate a group of individuals as its audit committee;

(6) Changes the content requirements for the financial report;

(7) Adds several provisions regarding the qualifications of the certified public accountant for an insurer's annual audited financial report;

(8) Specifies that an insurer can apply, in writing, to the department director for permission to file audited consolidated or combined financial statements in certain situations;

(9) Removes from the required contents of the accountant's letter a statement that the accountant has liability insurance coverage of the lesser of \$1 million or 10% of the insurer's admitted assets;

(10) Requires an accountant to have an understanding of the internal control of the insurer sufficient to plan the audit;

(11) Requires an insurer to provide the department director with a written communication of any unremediated material weaknesses in its internal control over financial reporting noted during the audit and the completed or proposed actions to correct them unless the actions have been described in the accountant's communication;

(12) Establishes the membership requirements and functions of the audit committee;

(13) Specifies that false or misleading statements to an accountant in connection with any audit, review, or required communication will be considered a level three violation under Section 374.049; and

(14) Requires, beginning January 1, 2010, certain insurers to file a management report of internal control over financial reporting and establishes the requirements for these reports.

HEALTH INSURANCE CO-PAYMENTS AND CO-INSURANCE FOR CHIROPRACTIC SERVICES (Section 376.391)

Health benefit plans and health carriers are prohibited from imposing any co-payment that exceeds 50% of the total cost of providing any single chiropractic service to an enrollee.

LIFE INSURANCE (Section 376.502)

Life insurance companies doing business within the state are prohibited from denying or refusing to accept an application for life insurance; refusing to renew, cancelling, restricting, or terminating a life insurance policy; or charging a different rate for the same life insurance coverage based on the individual's past or future lawful travel destinations unless it is based on a specific travel destination where the denial, restriction, or rate differential is based on sound actuarial principles or is related to an actual or reasonably anticipated experience. A violation of these provisions will be considered an unfair trade practice and subject to the penalties specified in Sections 375.930 - 375.948. The provisions of this section will apply to any life insurance policy issued or renewed on or after August 28, 2009.

COVERAGE FOR PROSTHETIC DEVICES AND SERVICES (Section 376.1232)

Every health carrier or health benefit plan delivered, issued, continued, or renewed on or after January 1, 2010, must offer coverage for prosthetic devices and services. These provisions do not apply to certain supplemental insurance policies.

CAPTIVE INSURANCE COMPANIES (Sections 379.1300 - 379.1412)

The bill changes the laws regarding captive insurance companies and allows an association captive insurance company or an industrial insured captive insurance company to be organized as a reciprocal insurer. In its main provisions, the bill:

(1) Requires the subscribers' advisory committee of a reciprocal insurer to meet at least once a year;

(2) Removes the requirement that a captive insurance company hold at least 35% of its assets in Missouri or through a financial institution located in the state and approved by the Director of the Department of Insurance, Financial Institutions and Professional Registration;

(3) Requires organizers of a reciprocal insurer to petition the department director to issue a certificate

finding that the proposed association will promote the general good of the state;

(4) Specifies that the captive insurance company statutes will control in cases where there is a conflict with the reciprocal insurance statutes;

(5) Requires the State Treasurer to deposit 90% of the premium taxes collected from captive insurance companies and special purpose life reinsurance captive (SPLRC) companies into the General Revenue Fund and 10% into the Insurance Dedicated Fund, subject to a maximum of 3% of the current fiscal year's appropriation from the fund;

(6) Allows an association captive insurance company or an industrial insured captive insurance company formed as a stock or mutual corporation to be converted to or merged with and into a reciprocal insurer and specifies the requirements and procedures for the conversion or merger plan;

(7) Reduces from two to one the number of Missouri residents required to incorporate or organize a SPLRC; and

(8) Changes the way in which the assets of a SPLRC are valued.

The provisions regarding MO HealthNet data transparency will expire six years from the effective date.

SCS HCS HB 580 — LINE OF DUTY COMPENSATION ACT

This bill establishes the Line of Duty Compensation Act which allows a claim to be filed with the Division of Workers' Compensation within the Department of Labor and Industrial Relations by the estate of a law enforcement officer, emergency medical technician, air ambulance pilot, air ambulance registered professional nurse, or firefighter who was killed in the line of duty with certain exceptions. The claim must be filed within one year of the date of the death. The amount of compensation will be \$25,000, subject to appropriations, for deaths occurring on or after August 28, 2009.

The provisions of the bill will expire six years from the effective date.

The bill contains an emergency clause.

HB 593 — POLICE AND FIREMEN'S PENSION SYSTEM INVESTMENTS

Currently, the boards of trustees of police and firemen's pension systems must invest the funds of the systems subject to all terms, conditions, limitations, and restrictions imposed upon life insurance or casualty companies. This bill removes those terms, conditions, limitations, and restrictions

and requires the boards to invest the funds as permitted in Sections 105.687 - 105.690, RSMo, regarding the duties of investment fiduciaries.

HCS HB 620 & 671 — BINGO (Vetoed by the Governor)

This bill changes the laws regarding bingo. In its main provisions, the bill:

(1) Allows organizations with abbreviated licenses to conduct bingo games up to 15 times annually. Currently, the limit is up to four times annually;

(2) Requires all organizations licensed to conduct bingo games to pay a \$50 annual license fee. Currently, certain licensed organizations are required to pay only a \$10 annual license fee;

(3) Authorizes the Missouri Gaming Commission to establish the maximum daily prize amount for nonprogressive bingo games;

(4) Removes the provision allowing licensees to require players to purchase more than a standard pack of bingo cards in order to participate in a bingo game;

(5) Allows licensees to conduct bingo games twice a week instead of once a week;

(6) Increases the amount which may be used for advertising from 2% to 10% of the total amount expended from bingo receipts;

(7) Removes the provision which prohibits licensees from referencing the aggregate values of bingo prizes in an advertisement;

(8) Prohibits bingo games from operating between the hours of 1 a.m. and 7 a.m. Currently, no games can be conducted between midnight and 10 a.m.;

(9) Requires all licensees who conduct bingo or pull-tab activities on more than three occasions in any calendar year to make quarterly reports to the commission;

(10) Changes the record retention requirement of bingo and pull-tab licensees from three to two years except those records stipulated for one-year retention by regulation;

(11) Repeals the 2% gross receipts sales tax on pull-tab cards and the two-tenths of one cent tax on each bingo card sold by charitable organizations conducting bingo in this state;

(12) Increases the one-time application fee for a manufacturer's license from an amount not to exceed \$1,000 to an amount not to exceed \$5,000 and the renewal fee from an amount not to exceed \$500 to an amount not to exceed \$1,000; and

(13) Requires the applicant for a supplier's or manufacturer's license to be responsible for all investigative costs incurred by the commission.

**HB 644 — MOTOR VEHICLES, BOATS, MOTORS,
AND MANUFACTURED HOMES**
(*Vetoed by the Governor*)

This bill changes the laws regarding the registration and licensing of motor vehicles and the issuance of lien titles and certificates of ownership for motor vehicles, trailers, outboard motors, aircraft, vessels, and manufactured homes.

DRIVEAWAY LICENSE PLATES
(Section 301.069, RSMo)

The fee for one set of driveaway license plates issued to a person, firm, or corporation licensed as a wholesale motor vehicle auction will be \$17 annually or \$34 biennially.

SALVAGED VEHICLES (Section 301.218)

Currently, when a person who is not a resident of the United States buys a nonrepairable motor vehicle or a salvage motor vehicle, the seller must stamp the words "FOR EXPORT ONLY" on the face of the title and in each unused reassignment space on the back of the title and forward it to the Department of Revenue. The bill specifies that it is the operator of the salvage pool or salvage disposal sale or the subsequent purchaser who is required to fulfill these actions.

**LIEN TITLES AND CERTIFICATES OF
OWNERSHIP (Sections 301.190, 306.410, 430.082,
and 700.320)**

The bill changes the laws regarding the issuance of lien titles and certificates of ownership for motor vehicles, trailers, outboard motors, aircraft, vessels, and manufactured homes. The bill:

(1) Changes from three months to 45 days from the completion of requested labor when a lienholder may apply to the Director of the Department of Revenue for a certificate of ownership or title when the charges for the labor have not been paid;

(2) Specifies that if the charges are for storage and/or for towing an item and the item has not been redeemed within 45 days after the charges for storage have commenced, the lienholder must notify the owner and any lienholder of record, by certified mail, that an application for a lien title will be made unless the owner or lienholder makes satisfactory arrangements within 30 days. Currently, the item must not have been redeemed within three months after the charges for storage commenced and the lienholder must make satisfactory arrangements within 45 days;

(3) Allows a lienholder to apply for a lien title 30 days after the notice has been mailed and the storage or towing charges have not been paid or if the notice has been returned marked "not forwardable"

or "addressee unknown" instead of the current 45 days;

(4) Allows a lienholder to apply for a lien title after notice by certified mail has been sent and not returned accompanied with an affidavit from the lienholder that written notice was provided to all owners and lienholders and a copy of the written notice given by certified mail evidencing the notice was sent;

(5) Requires the department director to issue a lien title upon satisfaction that the application is genuine, proof of lienholder notification is provided, and no lienholder or owner has redeemed the item or demanded a hearing. Currently, the department director must notify the owner and lienholder upon receipt of the application; and

(6) Requires the owner to provide the department director with certain documentation when adding or deleting a name or names on an application for certificate of ownership for a motor vehicle or trailer or an application for certificate of title for a manufactured home, outboard motor, motorboat, vessel, or watercraft when there is an inconsistency with the names listed on a notice of lien.

HB 652 — CERTIFIED MAIL

This bill defines "certified mail" and "certified mail with return receipt requested" as the terms relate to the laws of this state to include any parcel or letter carried by a delivery service that allows a sender or recipient to electronically track its location and provides a record of the signature of the recipient.

**SS HCS HB 661 — NATURAL RESOURCE
PROGRAMS**

This bill changes the laws regarding programs administered by the Department of Natural Resources. In its main provisions, the bill:

(1) Extends the expiration date from January 1, 2010, to January 1, 2015, for the collection of the tire disposal fee in Section 260.273, RSMo;

(2) Increases from 5% to 45% the maximum funding from tire fees for grants to individuals using products derived from waste tires or using used waste tires for fuel or fuel supplements;

(3) Increases from 25% to 50% the maximum funding from the tire fees for the administration of various tire-related programs;

(4) Allows charitable, fraternal, and other nonprofit organizations that voluntarily clean up land or water resources to be reimbursed if funds are available for the disposal costs of scrap tires collected during these activities and allows, subject to the availability of funds, municipal and county governments that voluntarily clean up illegal tire dumps to be reimbursed for the disposal costs of scrap tires;

(5) Removes the provision requiring the department to report to the General Assembly by January 1, 2009, a complete accounting of tire cleanup projects that are in progress or that have been completed, the costs of the cleanups, and enforcement actions completed or initiated to address waste tires;

(6) Specifies that a coal-fired electric generating facility that burns tire-derived fuel will not be considered a scrap tire site or solid waste disposal area for regulation purposes;

(7) Prohibits the Metropolitan St. Louis Sewer District from assessing a district residential property owner any fee, charge, or tax for storm water management services if the district does not directly provide sanitary sewer services to the property and the storm water runoff from the property does not flow or is not otherwise conveyed to a sewer maintained by the district;

(8) Allows the state to distribute economic stimulus funds provided under the American Recovery and Reinvestment Act of 2009, commonly known as the federal economic stimulus act, to local governments, public water or sewer districts, and other eligible entities to assist in the construction of public drinking water and water pollution control projects as authorized in the federal Safe Drinking Water Act or by the Clean Water Commission;

(9) Allows the department to analyze the potential for increased utilization of landfill gas and projects to reduce and capture methane and other greenhouse gas emissions from landfills as an alternative energy source;

(10) Authorizes the department to enter into cooperative agreements with other states, political subdivisions, private entities, and educational institutions in order to seek and obtain federal grants;

(11) Allows funds appropriated to the department for energy-related activities to be used to carry out agreements, contracts, subgrants, or cooperative arrangements with other governmental, public or private organizations or entities, or educational institutions;

(12) Creates the Energy Futures Fund to be used for energy-related activities including energy efficiency programs, energy studies, energy resource analyses, energy projects, and related departmental administration costs;

(13) Extends from August 28, 2009, to August 28, 2010, the requirement that the department notify the United States Environmental Protection Agency for its approval of any list of any waters of the state being classified as impaired as adopted by the Clean Water Commission; and

(14) Extends from December 31, 2009, to December 31, 2010, the authority of the commission to charge fees for construction permits, operating permits, and operator certifications related to water pollution control.

The bill contains an emergency clause for the provisions regarding construction of public drinking water and water pollution control projects from federal stimulus funds, analysis of landfill gas and greenhouse gas emissions as an alternative energy source, the authority for the department to enter into cooperative agreements to seek and obtain federal grants, and the extension of the commission's authority to charge fees for permits and certifications related to water pollution control.

SCS HCS HB 667 — SHERIFF QUALIFICATIONS

Currently, all sheriffs, except the sheriff of St. Louis County, must hold a valid peace officer license except during the first 12 months of the first term of office of any sheriff who is eligible and intends to become licensed as a peace officer. Beginning January 1, 2010, this bill removes the 12-month grace period.

HB 678 — SILVER STAR FAMILIES OF AMERICA DAY

This bill designates May 1 of each year as "Silver Star Families of America Day" to honor the wounded soldiers of this state and the efforts of the Silver Star Families of America to honor the wounded members of the United States armed forces.

HB 682 — SCHOOL MAKE-UP DAYS DUE TO INCLEMENT WEATHER

Currently, schools are required to make up the first six days of school lost or canceled due to inclement weather and half of the additional days lost or canceled in excess of the first six. This bill allows an exception for the 2008-2009 school year by requiring schools to make up half of the additional lost or canceled days up to a total of 10 full make-up days.

The bill contains an emergency clause.

CCS SS SCS HB 683 — TRANSPORTATION

This bill changes the laws regarding transportation.

TRANSPORTATION APPOINTEES (Sections 21.795 and 226.030, RSMo)

The position of Transportation Inspector General within the Joint Committee on Transportation Oversight is eliminated.

Currently, the two members of the Highways and Transportation Commission, one from each political party, who have the most seniority in commission service assume leadership positions with one as chair and the other as vice chair for a period of one year. At the end of the year, the chair and vice chair must rotate positions. The bill gives the chair and vice chair the option to rotate positions.

MOTOR VEHICLE TAX COLLECTION (Sections 32.095, 144.060, 144.070, 301.280, and 301.562)

Beginning January 1, 2012, the bill allows the Director of the Department of Revenue to appoint any motor vehicle dealer to act as an agent for the department for the purpose of titling and registering a motor vehicle at the time of the initial sale or lease. Beginning July 1, 2010, dealers may apply to the department director to collect the sales and use tax on all vehicles sold by the dealer. If authorized, the dealer must file a return and remit the tax collected, less a 2% timely filing deduction, to the department. Dealers will not be eligible for fee office fees or general revenue funds for collecting and remitting motor vehicle sales taxes. Dealers will be subject to the sales tax law under Chapter 144, RSMo, and must file a monthly sales tax report pursuant to Section 301.280.

DEPARTMENT OF REVENUE FEE OFFICE CONTRACTS (Section 136.055)

The Director of the Department of Revenue must award fee office contracts through a competitive bidding process. All fees collected by a tax-exempt organization may be retained and used by the organization.

MOTOR FUEL TAX (Section 142.800)

The bill specifies that the definition of “diesel fuel” for motor fuel tax purposes does not include biodiesel until the biodiesel is blended with other diesel fuel or sold for highway use.

PUBLIC-PRIVATE PARTNERSHIPS (Sections 144.054, 227.600, 227.615, 227.630, and 227.646)

The bill changes the laws regarding the Missouri Public-Private Partnerships Transportation Act by expanding the types of projects that may be included. Currently, the act is limited to the bridge project over the Mississippi River. The bill exclusively includes any pipeline, ferry, river port, airport, railroad, light rail, or other mass transit facility to be financed, developed, and/or operated under an agreement between the Highways and Transportation Commission and a private partner.

The commission is allowed to preliminarily approve a project it determines will improve and is a needed addition to the state transportation system. Upon

this preliminary approval, the Joint Committee on Transportation Oversight must approve the project by a majority vote. Any other project must be approved by a vote of the people before it can be financed, developed, or operated by a private partner. Any private partner who has a project request disapproved can ask for a hearing to review the committee’s determination. The “state transportation system” is defined as the state system of nonhighway transportation programs including, but not limited to, aviation, transit and mass transportation, railroads, ports, waterborne commerce, freight, and intermodal connections.

A sales and use tax exemption is authorized on all sales and purchases of tangible property, utilities, or services for use in public-private transportation projects; and any revenues received from a public-private project are exempt from state income tax. Upon completion of a project, the private partner may collect user fees by the traveling public or the direct beneficiaries of the project, but the collection of user fees from motor carriers is prohibited.

DRUNK DRIVING VICTIM MEMORIAL SIGN PROGRAM (Section 227.295)

The Department of Transportation is required to establish a drunk driving risk reduction awareness program to be known as “David’s Law,” including a drunk driving victim memorial sign program. The department must adopt, by rules and regulations, program guidelines for the application for and placement of signs including, but not limited to, the sign application and qualification process, the procedure for the dedication of signs, and procedures for the replacement or restoration of any signs that are damaged or stolen.

Any person may apply to the department to sponsor a drunk driving victim memorial sign in memory of an immediate family member who died as a result of a motor vehicle accident caused by a person who was shown to have been operating a motor vehicle in violation of an alcohol-related traffic law at the time of the accident. A person who is not a member of the victim’s immediate family may also make a request if he or she submits the written consent of a member of the victim’s immediate family. The department will charge the sponsoring party a fee to cover the department’s cost in designing, constructing, erecting, and maintaining the sign and its cost in administering the program. Signs will remain in place for 10 years and may be renewed for another 10 years after payment of the appropriate maintenance fees.

The signs developed by the department will feature the words “Drunk Driving Victim!”, the initials of the

deceased victim, the month and year in which the victim was killed, and the phrase “Think About It!”.

No person, other than a department employee or designee, may erect a drunk driving victim memorial sign.

HEROES WAY INTERSTATE INTERCHANGE DESIGNATION PROGRAM (Section 227.297)

The bill establishes an interstate interchange designation program to be known as the Heroes Way Interstate Interchange Designation Program to honor fallen Missouri heroes who have been killed in action while in active military duty with the armed forces in Afghanistan or Iraq on or after September 11, 2001, and who were residents of this state at the time of their death.

Any person related by marriage, adoption, or consanguinity within the second degree to the military member who was killed may apply to the Department of Transportation for a designation by submitting:

(1) An application in a form prescribed by the department director describing the interstate interchange for which the designation is sought and the proposed name of the interchange. The application must include the name of at least one current member of the General Assembly who will sponsor the designation;

(2) Proof that the family member was a member of the United States armed forces and was killed in action while performing active military duty with the United States armed forces in Afghanistan or Iraq on or after September 11, 2001, and a signed form certifying that the applicant is related to the member; and

(3) A fee to be determined by the Highways and Transportation Commission to cover, but not exceed, the costs of constructing and maintaining the proposed interstate interchange signs.

The department must submit for approval all applications for designations to the Joint Committee on Transportation Oversight. If satisfied with the application and all its contents, the joint committee must approve the application. The joint committee must notify the department upon the approval or denial of an application for a designation. If the memorial designation request is not approved by the joint committee, 97% of the application fee must be refunded to the applicant.

Two signs will be erected for each interstate interchange designation. No interstate interchange may be named or designated after more than one individual, and a person will only be eligible for one designation.

The highway signs erected for any designation under the program must be erected and maintained

for a 20-year period. After that period, the signs will be subject to removal by the department and the interstate interchange may be designated to honor another person. An existing designation processed under the program may be retained for additional 20-year increments if, at least one year before the designation's expiration, an application to the department is made to retain the designation along with the required documents and all applicable required fees.

MEMORIAL HIGHWAYS AND BRIDGES (Sections 227.310, 227.313, 227.320, 227.368, 227.402, 227.406, 227.407, and 227.410)

The bill designates the following street, memorial highways, and bridges:

(1) The portion of State Highway 100 located in Franklin County from its intersection with State Highway 47 to the highway's connection with Interstate 44 as the “Veterans Memorial Highway”;

(2) The portion of State Highway 266 located in Greene County from North Missouri Road AB to one mile east as the “Dr. Martin Luther King Jr. Memorial Mile”;

(3) The portion of the state highway system which was designated as State Highway 47 as of January 1, 2009, within the city limits of the City of Washington as “Franklin Street”;

(4) The bridge over Interstate 44 on Business Loop 44 at Exit 127 in Laclede County as the “Specialist James M. Finley Memorial Bridge”;

(5) The bridge over the Gasconade River on State Highway 17 in Pulaski County as the “WWII Okinawa Veterans Memorial Bridge”;

(6) The portion of U. S. Highway 69 from the southern city limits of the City of Cameron to its intersection with Interstate 35 as the “CW2 Matthew G. Kelley Memorial Highway”;

(7) The portion of Interstate 435 located in Jackson County from mile marker 63.4 to mile marker 54.2 as the “Lamar Hunt Memorial Highway”; and

(8) The portion of U. S. Highway 160 in Greene County from the intersection of Farm Road 142 to the intersection of West Sunshine Street as the “Rabbi Abraham Joshua Heschel Memorial Highway.”

TRANSPORTATION OF RADIOACTIVE WASTE (Sections 260.392 and 260.750)

Entities which ship specified types of radioactive waste will be assessed a fee for the transportation of waste through or within the state. State-funded institutions of higher education will not be assessed a fee but must reimburse the State Highway Patrol for the actual cost to escort shipments, and federal government shipments of specified radioactive materials for military or national defense purposes are exempt.

For truck shipments of radioactive waste, the cost will be \$1,800 per cask with an additional surcharge of \$25 per mile for each mile over 200 that the truck travels in Missouri. Rail shipments of radioactive waste will cost \$1,300 for the first cask and \$125 for each additional cask. Low-level radioactive waste shipments will cost only \$125 per truck or train, although a shipper may negotiate an annual shipment fee. Fees must be collected by the Department of Natural Resources prior to shipment, and the shipper must provide advance notice of specified high-level radioactive waste shipments to the Governor's designee or to the department for low-level radioactive waste shipments pursuant to existing regulations. Failure to pay the fee or provide the required notice will result in a civil penalty not to exceed 10 times the amount assessed and not paid.

The revenue generated from the fees will be deposited into the Environmental Radiation Monitoring Fund, administered by the department, for specified purposes including inspections, escorts, security, emergency response, and oversight. The fund may retain \$300,000 at the end of the fiscal year with any excess being returned to shippers on a pro-rata basis based on a shipper's contribution to the fund for that fiscal year.

Beginning December 31, 2009, and every two years thereafter, the department must submit a report to the General Assembly on the income derived and the costs to enforce and administer these provisions.

ALL-TERRAIN VEHICLES (Section 301.010)

The bill revises the definition of "all-terrain vehicle" (ATV) as it relates to motor vehicle registration and licensing, vehicle equipment, and traffic regulations by increasing the vehicle's unladen dry weight from 1,000 pounds to 1,500 pounds and by specifying that an ATV is a vehicle with four or more nonhighway, instead of the current low pressure, tires and defines a "recreational off-highway vehicle" as any motorized vehicle manufactured and used exclusively for off-highway use which is 60 inches or less in width, with an unladen dry weight of 1,850 pounds or less, traveling on four or more nonhighway tires, with a nonstraddle seat and steering wheel which may have access to ATV trails.

REGISTRATION OF FLEET VEHICLES (Section 301.032)

The bill allows registered fleet owners the option of registering all motor vehicles included in the fleet on a biennial basis. An application for registration of a fleet vehicle must be accompanied by a certificate of inspection and approval issued no more than 120 days prior to the date of the registration application. Fleet owners may obtain fleet vehicle license plates bearing the company's name or logo for an additional one-time \$5 fee per vehicle.

TEMPORARY LICENSE PLATES AND EXPIRED LICENSE PLATES (Section 301.140)

Anyone purchasing a motor vehicle or trailer from a dealer must provide proof of financial responsibility to the dealer before the issuance of a temporary license plate.

The bill also allows individuals to possess expired license plates for a charitable purpose.

SPECIAL LICENSE PLATES (Sections 21.795, 301.165, and 301.3155)

The bill allows for the following special license plates:

- (1) Brain Tumor Awareness Organization;
- (2) Armed Forces Expeditionary Medal.

The Joint Committee on Transportation's speciality license plate approval process is revised.

PRODUCTION OF LICENSE PLATE TABS (Section 301.290)

The bill extends from January 1, 2010, to January 1, 2011, the date that Correctional Enterprises within the Department of Corrections may erect and maintain all of the machinery and equipment necessary for the manufacture of license plate tabs for the Department of Revenue.

MOBILITY MOTOR VEHICLE DEALERS (Section 301.571)

Mobility motor vehicle dealers are allowed to purchase new motor vehicles and equip them for retail sale as mobility motor vehicles but are prohibited from advertising the vehicles for resale until they are fitted or equipped as mobility motor vehicles.

PERMANENTLY DISABLED NOTATION ON DRIVER'S OR NONDRIVER'S LICENSE (Section 302.182)

The bill allows an individual who is permanently disabled to apply to the Department of Revenue to have a notation indicating that status on his or her driver's or nondriver's license. The department will establish the cost and criteria for the placement of the notation.

BOATER IDENTIFICATION CARD NOTATION ON DRIVER'S LICENSE (Section 302.184)

Any resident of this state possessing a boater identification card issued by the State Water Patrol may apply to the Department of Revenue to have a notation placed on the person's driver's or nondriver's license indicating that the person has complied with the applicable provisions of the law. The department can establish the cost and criteria for the placement of the notation. Any driver's or nondriver's license bearing a notation may be used for identification in lieu of a boater identification card.

DRIVER IMPROVEMENT PROGRAMS

(Sections 302.302 and 476.385)

A court using a centralized violation bureau is allowed to provide an individual who has violated certain traffic violations the option of attending a driver-improvement program or motorcycle-rider training course in lieu of assessing points against the person's driver's license. The individual must verify his or her attendance as directed by the bureau when paying the required fines and court costs.

TRAFFIC FINE REVENUES (Section 302.341)

Currently, if a city, town, or village receives more than 45% of its total annual revenue from fines for traffic violations, all revenue from these violations in excess of 45% must be sent to the Department of Revenue. The bill reduces the amount to 35% of the annual general operating revenue but includes court costs for traffic violations in the amount. The Director of the Department of Revenue is required to establish a procedure for the excess revenue to be sent to the department. If a city, town, or village disputes the determination that it has received excess revenue, it may submit to an annual audit by the State Auditor.

MOTOR VEHICLE VIOLATION PENALTIES

(Sections 301.131, 301.150, 301.310, 301.420, 301.440, 301.716, 307.010, 307.015, 307.090, 307.120, 307.125, 307.155, 307.172, 307.173, 307.195, 307.198, 307.365, 307.375, 307.390, 307.400, 488.006, and 556.021)

The bill changes the laws regarding the penalties for certain violations of motor vehicle licensing, registration, and equipment provisions. In its main provisions, the bill:

(1) Changes the penalties for persons violating the provisions of Sections 301.010 - 301.440 regarding registration and licensing of motor vehicles. Currently, persons violating a provision of these sections can be found guilty of a class C misdemeanor and be subject to a fine of not less than \$5 or more than \$500 and/or imprisonment in the county jail for a term not exceeding one year. The bill reduces the penalty to an infraction with the same fines;

(2) Specifies that any person who willfully or knowingly makes a false statement on an application for the registration of a motor vehicle or trailer, or as a dealer, or in an application for or assignment of a certificate of ownership will be guilty of a class C misdemeanor;

(3) Changes a violation of the following from a misdemeanor to an infraction:

(a) Provisions of Sections 301.700 - 301.714 and Section 307.198 regarding all-terrain vehicles;

(b) Provisions regarding when materials fall off a vehicle, trailer, or semitrailer while being transported or carried;

(c) Provisions requiring vehicles to be equipped with mud flaps;

(d) Provisions of Sections 307.020 - 307.120 regarding vehicle spotlamp regulations;

(e) Provisions regarding the lighting or reflective marking requirements for animal-driven vehicles;

(f) Provisions of Sections 307.130 - 307.160 regarding vehicle safety glass;

(g) Provisions regarding maximum vehicle bumper heights;

(h) Provisions regarding vehicle side window tinting;

(i) Provisions regarding the improper operation of a motorized bicycle;

(j) Provisions of Sections 307.350 - 307.390 regarding motor vehicle inspections; and

(k) Provisions of Section 307.400 regarding commercial vehicles and drivers of commercial vehicles;

(4) Changes a violation of the following from an infraction to a class C misdemeanor:

(a) Provisions of Section 307.365 regarding requirements of official inspection stations; and

(b) Provisions of Section 307.375 regarding inspections of buses used to transport children to or from school;

(5) Requires Missouri courts, unless otherwise provided by law, to assess all court costs, fees, surcharges, and other miscellaneous charges for any infraction in the same manner and amount as for a misdemeanor;

(6) Specifies that an offense is an infraction if it is designated as one or if a violation can result only in a fine, forfeiture, other civil penalty, or any combination thereof. A determination of whether an infraction has occurred will be made by the filing of a civil action. The action must be filed by a person who is authorized to bring a criminal action or an action to enforce an ordinance if the conduct constituted a crime or ordinance violation. The action will be brought in the name of the state or the appropriate political subdivision. An infraction violation must be proved by a preponderance of the evidence but must not be tried by a jury. If an infraction violation is proven, judgment must be entered for the plaintiff; and

(7) Requires the driver of any vehicle or the rider of any animal traveling on a roadway to stop on the signal of any law enforcement officer and to obey any reasonable signal or direction of the officer given in the course of enforcing any infraction. Any person who willfully fails or refuses to obey any signal or direction or who willfully resists or opposes an officer in the proper discharge of his or her duties while enforcing any infraction will be guilty of a class A misdemeanor.

COMMERCIAL DRIVER'S LICENSES

(Sections 302.545, 302.700, 302.735, 302.755, 302.775, and 311.326)

The bill prohibits the expungement of a minor in possession charge or for being found guilty with a blood-alcohol content of at least .04 for the holder of a commercial driver's license or a person operating a commercial motor vehicle when the violation occurred. Any person convicted for the first violation of an alcohol-related offense will be disqualified from driving a commercial motor vehicle for a period of not less than one year.

The Director of the Department of Revenue will disqualify a commercial driver's license holder or operator of a commercial motor vehicle as a commercial driver upon receipt of a conviction for an offense or failure to appear or pay. The disqualification will remain in effect until the department director receives notice that the person has complied with the requirement to appear or pay.

The state must immediately revoke a hazardous materials endorsement upon receipt of an Initial Determination of Threat Assessment and Immediate Revocation from the federal Transportation Security Administration and must revoke or deny a hazardous materials endorsement within 15 days of receipt of a final determination. The definition of "hazardous materials" is revised to be consistent with federal law and regulations.

The bill clarifies the commercial driver's license exemption for a farm vehicle by specifying that it must be operated by a farmer or his or her employee or family member while transporting agricultural products, machinery, supplies, or a combination of these within 150 miles to or from the farm and not used in the operations of a common or contract motor carrier.

Any person convicted for driving while out of service will be disqualified from driving a commercial motor vehicle in a manner prescribed by federal regulations instead of the current specified time period.

OPERATION OF GOLF CARTS OR MOTORIZED WHEELCHAIRS ON STREETS (Section 304.034)

The governing body of any municipality by resolution or ordinance may allow a person to operate a golf cart or motorized wheelchair on any street or highway under its jurisdiction. A golf cart or motorized wheelchair cannot be operated at any time on any state or federal highway but may cross a portion of the state highway system which intersects a municipal street except at an intersection where the highway being crossed has a posted speed limit of more than 45 miles per hour.

A golf cart operated on a city street must be equipped with adequate brakes and must meet any other safety requirements imposed by the governing body but will not be subject to state registration provisions.

"Golf cart" means a motor vehicle designed and manufactured for operation on a golf course for sporting or recreational purposes that is not capable of exceeding a speed of 20 miles per hour.

TOWING ABANDONED VEHICLES

(Section 304.155)

Currently, property is considered to be abandoned when it has been on the right-of-way of any highway or freeway in an urbanized area for 10 hours. Property on the right-of-way on any highway or freeway outside of an urbanized area is not considered abandoned until it has been on the right-of-way for 48 hours. The bill specifies that property outside of an urbanized area will be considered abandoned after it has been left unattended for 24 hours on the right-of-way of any state or interstate highway.

The bill also authorizes law enforcement officers to tow a vehicle abandoned by a person who eludes arrest for an alleged offense for which the officer would have taken the offender into custody and allows officers to immediately remove abandoned property from the right-of-way of any interstate, freeway, or state highway if the abandoned property is creating a traffic hazard. Currently, only the Department of Transportation is authorized to immediately remove a hazard from a state highway.

TRACTOR PARADES

(Sections 304.170 and 304.260)

Tractors driven by licensed drivers during daylight hours on specified parade routes for fund-raising activities and other special community events involving tractors are exempt from certain width, height, length, and registration regulations with the approval of the Superintendent of the State Highway Patrol.

TRAFFIC CONTROL SIGNALS (Section 304.285)

The bill creates an affirmative defense for any person operating a motorcycle or bicycle who enters or crosses an intersection controlled by a traffic signal against a red light if the motorcycle or bicycle has been brought to a complete stop, the traffic signal shows a red light for an unreasonable time, the traffic signal is apparently malfunctioning or has apparently failed to detect the arrival of the motorcycle, and no motor vehicle or person is approaching or is so far away that it does not constitute an immediate hazard.

MOTOR VEHICLE SAFETY INSPECTIONS
(Section 307.350)

Motor vehicles will be exempt from the state motor vehicle safety inspection requirement for the five-year period following their model year of manufacture. Vehicles registered in excess of 24,000 pounds for a period of less than 12 months will also be exempt. This exemption will not apply to a prior salvage vehicle immediately following a rebuilding process or to a motor vehicle that is required to undergo an inspection after being involved in an accident.

MOTOR CARRIERS (Section 387.040)

Motor carriers are exempt from filing schedules of rates, fares, and charges for shipments of household goods transported wholly or exclusively within commercial zones as defined in Section 390.020 or established by the Highways and Transportation Commission under Section 390.041.

ASSAULT OF A HIGHWAY WORKER
(Sections 565.081 - 565.083)

The crime of assault of a law enforcement officer, emergency personnel, or probation and parole officer in the first, second, and third degrees is expanded to include a highway worker in a construction or work zone or a corrections officer.

The provisions of the bill regarding motor vehicle safety inspection exemptions become effective January 1, 2010.

The provisions of the bill regarding the notation of a permanently disabled person and a boater identification card holder on a driver's or nondriver's license will become effective July 1, 2010.

The provisions of the bill regarding fees on the transportation of radioactive waste will expire six years from the effective date.

The provisions of the bill regarding tractor parades contain an emergency clause.

HCS HB 685 — SEARCH WARRANTS FOR CERTAIN TRAFFIC-RELATED OFFENSES

This bill specifies that the State Highway Patrol does not have to be accompanied by the county sheriff when it serves search warrants for offenses relating to driving while intoxicated and for the investigation of motor vehicle traffic accidents. The patrol will not be required to notify the county sheriff of any search warrant for an offense relating to driving while intoxicated.

HB 698 — BOLD LETTERS ON DONATION RECEPTACLES

This bill specifies that the term "bold letters" as it relates to the signage requirements on a public receptacle for donations of unwanted household

items collected by a for-profit entity means a primary color on a white background so it is clearly visible to the public.

Certain existing receptacles will be required to have the new signage no later than six months after August 28, 2009.

HB 709 — VOTER IDENTIFICATION CARDS

Currently, election authorities are required to issue voter notification cards to voters no later than 90 days prior to a primary or general election for federal office with certain exceptions. This bill changes the reference from notification to identification cards and specifies that individuals registering to vote by mail who have not previously voted will not receive a voter identification card, but anyone who registers to vote by mail and has not yet voted must receive a verification notice at least 90 days prior to the date of a primary or general election for federal office.

SCS HB 716 — NEWBORN SCREENING TESTS AND PREMATURE INFANTS

This bill changes the laws regarding newborn screening tests and premature infants.

NEWBORN SCREENING TESTS

The Brady Alan Cunningham Newborn Screening Act is established which requires, by July 1, 2012, the Department of Health and Senior Services to expand newborn screening requirements to include certain specified lysosomal storage diseases. The department is authorized to increase the current fee for newborn screening tests to cover the additional costs of the expanded tests.

PREMATURE INFANTS

The MO HealthNet Program and the State Children's Health Insurance Program (SCHIP), in consultation with statewide organizations focused on premature infant health care, must examine and improve hospital discharge and follow-up care procedures for premature infants born earlier than 37 weeks gestational age; urge certain hospitals to report rehospitalizations of infants born premature at earlier than 37 weeks gestational age within their first six months of life; and use guidance from the federal Centers for Medicare and Medicaid Services' Neonatal Outcomes Improvement Project to implement programs to improve outcomes, reduce costs, and establish ongoing quality improvement for newborns. By December 31, 2009, the Department of Health and Senior Services must prepare written educational publications with information about possible complications, proper care, and support associated with premature infants; distribute the materials to children's health and maternal care

providers, hospitals, public health departments, and medical organizations; and encourage those organizations to provide the publications to parents or guardians of premature infants.

CCS SS SCS HB 734 — NATURAL RESOURCES

This bill changes the laws regarding natural resources. In its main provisions, the bill:

(1) Extends from December 31, 2009, to December 31, 2010, the authority of the Clean Water Commission within the Department of Natural Resources to charge fees for construction permits, operating permits, and operator certifications related to water pollution control;

(2) Establishes a new fee schedule for distributors of fertilizer consisting of manipulated animal or vegetable manure based on the nitrogen content of the manure;

(3) Requires any appliance purchased with state funds to have earned the Energy Star rating under the federally sponsored Energy Star Program. The Commissioner of the Office of Administration is allowed to exempt an appliance from the requirement if the cost of compliance is expected to exceed the projected energy cost savings;

(4) Establishes the Joint Committee on Missouri's Energy Future which will consist of five members from the Senate appointed by the President Pro Tem of the Senate and five members from the House of Representatives appointed by the Speaker of the House of Representatives. The committee will prepare and submit a report to the General Assembly by December 31, 2009, on Missouri's energy needs to determine a strategy to ensure a plentiful, affordable, and clean supply of electricity to meet the needs of Missouri residents and businesses for the next 25 years and that they continue to benefit from low rates. The joint committee will be dissolved December 31, 2009;

(5) Extends from August 28, 2009, to August 28, 2010, the requirement that the department notify the United States Environmental Protection Agency for its approval of any list of any waters of the state being classified as impaired as adopted by the Clean Water Commission; and

(6) Exempts consumer electronics from the energy efficiency requirements of Sections 701.500 - 701.515, RSMo. The department must conduct a study and submit a report including recommendations concerning the energy efficiency of consumer electronic products by July 1, 2010, to the General Assembly. The report must be posted on the department's web site and made available to the public upon request. Standards must be established for appliances that do not have federally required minimum standards.

The bill contains an emergency clause for the provisions regarding the joint committee.

SS HCS HB 740 — FEDERAL REIMBURSEMENT ALLOWANCES

This bill extends the expiration date from June 30, 2009, to September 30, 2011, for the Missouri Medicaid Program's managed care organization reimbursement allowance in Sections 208.431 - 208.437, RSMo, and the pharmacy reimbursement allowance tax in Sections 338.500 - 338.550.

The expiration date of the federal reimbursement allowance assessment for hospitals in Sections 208.453 - 208.480 is extended from September 30, 2009, to September 30, 2011, and the assessment for intermediate care facilities for the mentally retarded is extended from June 30, 2009, to September 30, 2011.

The bill requires each MO HealthNet in-home services provider to pay an in-home services gross receipts tax based on a formula established by the Department of Social Services, not to exceed 6.5% of its gross receipts. "In-home services" are defined as homemaker services, personal care services, chore services, respite services, consumer-directed services, and services provided in the individual's home and under a plan of care created by a physician which are necessary to keep a child out of a hospital. "In-home services provider" is defined as any provider or vendor as specified under Section 208.900 of compensated in-home services under Chapter 208 and under a provider agreement or contracted with the departments of Social Services or Health and Senior Services.

Each in-home services provider who is subject to the provisions of the bill is required to keep the necessary records to determine the total payments received for providing in-home services and report the information to the Department of Social Services. The Department of Health and Senior Services must provide the Department of Social Services with a list of all in-home services providers and vendors covered under these provisions.

The Department of Social Services is required to determine and notify each provider of the amount of tax due. The tax due may be adjusted quarterly on a prospective basis or more frequently for certain providers if the department identifies the need. If requested by the provider, the department may offset the tax owed against any MO HealthNet Program payment due the provider.

The In-home Services Gross Receipts Tax Fund is created to provide payment for in-home services. All investment earnings of the fund must be credited to the fund.

For an in-home services provider with a tax due of more than 90 days, the Department of Social Services is required to send notification of the tax due. If a provider fails to pay its tax within 30 days of the notice, the tax is considered delinquent and the department may proceed with a lien against the provider's property; revoke his or her provider contract; and cancel or refuse to issue, extend, or reinstate his or her MO HealthNet provider agreement.

The provisions regarding the in-home services gross receipts tax will be effective upon authorization by the federal Centers for Medicare and Medicaid Services for a gross receipts tax for in-home services or 60 days after a determination by the federal centers that their authorization is not necessary.

The provisions of the bill regarding the in-home services gross receipts tax will expire September 1, 2011, or sooner under certain specified conditions.

The bill contains an emergency clause.

CCS SCS HB 745 — STATE PURCHASING

This bill specifies that the Commissioner of the Office of Administration or any agent of the state when purchasing commodities and tangible personal property must give preference to products processed in this state and to all new generation processing entities except those owning or operating a renewable fuel production facility or that produce renewable fuel. Commodities include any agricultural product that has been processed or otherwise had value added to it in this state.

HB 747 — SEXUAL CONTACT WITH A PRISONER

This bill specifies that a person commits the crime of sexual contact with a prisoner or offender if the prisoner or offender is confined in a jail, prison, or correctional facility.

HB 751 — MISSOURI PROPANE EDUCATION AND RESEARCH COUNCIL

(Vetoed by the Governor)

This bill changes the laws regarding the Missouri Propane Education and Research Council. In its main provisions, the bill:

- (1) Removes the provision allowing the director of the council to initiate a referendum on the abolishment of the council and the fee for odorized propane;
- (2) Removes the director's authority to:
 - (a) Fill council vacancies and requires appointments to be made by the council following a public nomination process;
 - (b) Approve or modify council budgets. The council will approve or modify the budget after a

30-day public comment period prior to the beginning of each fiscal period;

(c) Require additional reports from the council; and

(d) Establish alternative means to collect the odorized propane fee and establish late payment charges. The council will have this authority; and

(3) Removes the provision allowing the National Propane Education and Research Council to establish a program coordinating its operation with the Missouri council and authorizing the Missouri council to keep funds from a federal rebate on propane fees collected by the national council.

SCS HCS HB 752 — TRANSPORTATION APPOINTEES

This bill eliminates the position of Transportation Inspector General within the Joint Committee on Transportation Oversight.

Currently, the two members of the Highways and Transportation Commission, one from each political party, who have the most seniority in commission service assume leadership positions with one as chair and the other as vice chair for a period of one year. At the end of the year, the chair and vice chair must rotate positions. The bill gives the chair and vice chair the option to rotate positions.

HB 802 — NEIGHBORHOOD ASSISTANCE ACT

Currently, a person or family is considered eligible to qualify for assistance from the Missouri Housing Development Commission under the Neighborhood Assistance Act for an affordable housing unit of either a rental unit or an owner-occupied unit if the household's combined, adjusted gross income is equal to or less than the specified percentages of the median family income for the geographic area in which the residential unit is located or the median family income for the state, whichever is greater. This bill increases the income threshold for an owner-occupier of an affordable housing unit so that it is double the threshold required for a rental unit.

HB 811 — DIETITIANS

This bill requires an applicant for licensure as a dietitian to possess a current registration with the Commission on Dietetic Registration, the credentialing agency for the American Dietetic Association.

HB 826 — SEXUALLY VIOLENT PREDATORS

This bill authorizes the Department of Mental Health to enter into a contract agreement with one or more county jails in this state for the confinement

of a person ordered to the department after a determination by a court that he or she may meet the definition of a sexually violent predator or for the confinement of a person ordered to the department after a finding of probable cause under Section 632.489, RSMo. These individuals must be housed and managed separately from offenders in the custody of the county jail.

SCS HCS HB 836 & 753 — FORECLOSURE SALE NOTICE TO TENANTS

In any case where a foreclosed property is lawfully occupied by a residential tenant who is not in violation of any lease agreement, this bill prohibits any unlawful detainer action, including eviction, to be taken against the tenant until at least 10 business days after the date of the notice that the foreclosure sale occurred. After a foreclosure sale, the new owner of the property must provide the tenant written notice of the foreclosure sale, that he or she is the new owner, and that the tenant has 10 business days to vacate the property. The tenant must receive notice by mail and by a posting on the door of the premises where the tenant resides.

SCS HB 842 — REAL ESTATE

This bill defines “boat dock” as a structure for loading and unloading boats connecting real property to public or private water. A dock is real property, and the owner has riparian rights to the body of water in which it is located under certain conditions.

The definition of “commercial real estate” is revised as it relates to licensed real estate brokers and agents to include real estate on which no buildings or structures are located.

HB 859 — RETENTION OF BUILDING OR TECHNICAL CODES

Currently, a county, fire protection district, or municipality that adopts building or technical codes by reference is required to file and keep three copies of the code in its clerk’s office for public use or inspection. This bill reduces the required number of copies to one.

SCS HB 861 — ASSISTANT ADJUTANTS GENERAL

This bill allows the Adjutant General to assign the number of assistant adjutants general that are authorized by the rules and regulations of the National Guard Bureau of the United States. The assistants are required, if they qualify, to hold military rank as may be authorized and approved for the positions by the bureau. Currently, the Adjutant General may only assign two assistants.

HCS HB 863 — CHILD WITNESS PROTECTION ACT

This bill establishes the Child Witness Protection Act regarding certain children 17 years of age or younger who are testifying in specified judicial proceedings. In its main provisions, the bill:

(1) Requires the court to ensure that the oath be given to a child in a manner that the child may fully understand his or her duty to tell the truth, that questions are stated in a form which is appropriate for the age of the child, and that questions are explained to the child if necessary in order for him or her to understand;

(2) Allows the court at its discretion to limit in duration or limit to normal school hours the taking of testimony of the child;

(3) Allows the child when testifying to have a comfort item, such as a toy, blanket, or similar item, upon a motion at least 30 days in advance of the judicial proceeding and if all parties agree or under specified court findings;

(4) Allows the child to have a support person present and in close proximity during his or her testimony to provide emotional support upon a motion at least 30 days in advance of the judicial proceeding and if all parties agree or under specified court findings. The support person must abide by the rules established by the court;

(5) Requires the court to prevent intimidation or harassment of the child by the parties or their attorneys; and

(6) Allows the court, upon its own motion or the motion of any party at least 30 days in advance of the judicial proceeding, to order comfortable accommodations for the child which can include adjusting the courtroom layout, conducting the proceedings outside of a courtroom, or relaxing the formalities of the proceedings.

SCS HB 866 — COMPLAINTS AGAINST CERTAIN LICENSED PROFESSIONALS

This bill allows the State Board of Registration for the Healing Arts and the State Committee for Social Workers within the Department of Insurance, Financial Institutions and Professional Registration to remove unsubstantiated complaints made against licensed social workers and physicians by offenders who have been ordered into custody, detained, or held by the Department of Mental Health as sexually violent predators. Upon the written request of a licensed social worker or physician subject to a complaint prior to August 28, 2009, by these offenders that did not result in disciplinary action, the appropriate committee or board must destroy all documentation regarding the complaint, notify any other licensing

board that was previously notified of the complaint of its actions, and send a letter to the licensee clearly stating that the complaint was unsubstantiated.

SCS HB 867 — MEMORIAL HIGHWAY

This bill designates the portion of U. S. Highway 69 from the southern city limits of the City of Cameron to its intersection with Interstate 35 as the “CW2 Matthew G. Kelley Memorial Highway.”

HCS HB 883 — INVESTMENTS BY THE STATE TREASURER

This bill changes the laws regarding the State Treasurer’s asset allocation plan which limits the total amount of state moneys that may be invested in any particular investment authorized by Section 15, Article IV of the Missouri Constitution. In its main provisions, the bill:

(1) Requires the plan to establish diversification limits including a restriction limiting the total amount of time deposits of state moneys, not including linked deposits, placed with any one single banking institution to no greater than 10% of all time deposits of state moneys;

(2) Requires, beginning January 1, 2010, the rate of interest payable by all banking institutions on time deposits, other than linked deposits, to be the same as the average rate paid during the week next preceding the week in which the deposit was made for United States Treasury securities maturing and becoming payable closest to the time of termination of the deposit on the first \$7 million of state moneys deposited. The rate of interest on any deposits in excess of the \$7 million must be set at the market rate as specified in Section 30.260.6, RSMo. The \$7 million amount will decrease by \$2 million annually until January 1, 2013, then decrease by \$1 million when it reaches zero beginning January 1, 2014, and the rate of interest on all deposits must be set at the market rate. Currently, the rate of interest must be the same as the average rate paid during the week next preceding the week in which the deposit was made;

(3) Allows bonds or other obligations of certain political subdivisions to be acceptable securities for moneys deposited by the State Treasurer in approved banks or financial institutions. Currently, certain political subdivisions can only use bonds;

(4) Prohibits United States Treasury securities and United States federal agency debentures issued by Fannie Mae, Freddie Mac, Federal Home Loan Bank, or Federal Farm Credit Bank valued at market and deposited as collateral from exceeding 105% of the aggregate amount of time deposits and demand

deposits. All other securities, except as noted elsewhere in Section 30.270, cannot exceed 115% of the aggregated amount of the time deposits and demand deposits;

(5) Adds eligible multitenant development enterprises, alternative energy consumers, and governmental entities as specified in Section 30.750 to those who may acquire a loan through the Linked Deposit Program;

(6) Expands the definition of “eligible job enhancement business” as it relates to the program to include when the applicant can demonstrate significant costs for equipment, capital outlay, or capital improvements associated with the physical expansion, renovation, or modernization of a facility or equipment. The maximum amount of the linked deposit cannot exceed \$50,000 per job created or retained plus the initial cost of the physical expansion, renovation, or capital outlay; and

(7) Increases the number of employees in the definition of “eligible small business” as it relates to the program from less than 25 to less than 100.

HCS HB 895 — CONVEYANCE IN MACON COUNTY

This bill authorizes the Governor to convey all interest in an easement across state property located in Macon County to certain private property owners for the purpose of obtaining access to their property.

HCS HB 909 — CONVEYANCES OF STATE PROPERTY

This bill authorizes the Governor to convey:

(1) State property located in Cape Girardeau County to the Highways and Transportation Commission;

(2) State property located in St. Louis City, which is currently being used by the Department of Corrections as a minimum security correctional facility, to the Highways and Transportation Commission for the new Mississippi River Bridge project; and

(3) State property located in St. Louis City, which currently is being leased by Harris-Stowe State University, to the university.

HCS HB 914 — DIRECTOR OF THE DIVISION OF FINANCE

Currently, the circuit court in the judicial district in which the principal office of a failed bank is located must approve the appointment made by the Director of the Division of Finance within the Department of Insurance, Financial Institutions and Professional Registration of the Federal Deposit Insurance

Corporation (FDIC) as the liquidating agent of a bank insured by the FDIC. This bill removes the provision requiring the appointment's approval by the circuit court.

The bill contains an emergency clause.

HB 918 — CONVEYANCE IN BOONE COUNTY

This bill authorizes the Governor to convey state property located in Boone County, known as the Mid-Missouri Mental Health Center, to the Curators of the University of Missouri.

The bill contains an emergency clause.

HB 919 — GROUP HEALTH INSURANCE

Currently, group health insurance laws exclude sole proprietors and self-employed individuals. This bill allows associations to provide group health insurance policies to these classes of business.

SCS HB 922 — ALLERGY PREVENTION AND RESPONSE IN SCHOOLS

This bill requires each school district to adopt a policy on allergy prevention and response by July 1, 2011, with priority given to addressing potentially deadly food-borne allergies. The policy must include elements distinguishing between building-wide, classroom, and individual approaches to allergy prevention and management; providing an age-appropriate response to building-level and classroom-level allergy education and prevention; describing the role of certificated and noncertificated staff, parents, and other students in preventing and mitigating allergies; addressing confidentiality issues relating to sharing student medical information; and coordinating with other entities to ensure the efficient promulgation of accurate information and that existing school safety and environmental policies do not conflict. The Department of Elementary and Secondary Education, in cooperation with any appropriate professional association, must develop a model policy or policies by July 1, 2010.

CCS SCS HCS HB 1075 — UNEMPLOYMENT COMPENSATION

This bill changes the laws regarding unemployment compensation.

UNEMPLOYMENT COMPENSATION FUND

The bill removes the provision which prohibits the unpaid principal amount of outstanding credit instruments in the Unemployment Compensation Fund, combined with the unpaid principal amount of any financing agreement authorized and issued

by the Board of Unemployment Fund Financing, from exceeding \$450 million at any one time and removes the provision which prohibits the current total amount of outstanding obligations under all financial agreements entered into by the board from exceeding the difference of \$450 million and the principal amount of outstanding credit instruments.

FEDERAL EXTENDED UNEMPLOYMENT BENEFITS

Certain provisions are changed regarding the state's eligibility to receive federal extended unemployment benefit money to provide unemployed individuals benefits beyond the current unemployment benefit period and the amount of the extended unemployment benefits an eligible individual can receive. Beginning February 1, 2009, and ending December 5, 2009, the state is eligible to receive federal extended unemployment benefit money when:

(1) The average state unemployment rate as determined by the United States Secretary of Labor for the most recent three-month period is 6.5% or higher; and

(2) The average state unemployment rate of 6.5% or higher exceeds 110% of the average of the unemployment rate for either or both of the corresponding three-month periods ending in the two preceding calendar years.

The bill specifies that an individual will be eligible to receive federal extended unemployment benefits in a high unemployment period if he or she has exhausted all state benefits. "High unemployment period" means any period during which the state unemployment rate for the most recent three-month period is 8% or higher. The total amount of extended benefits an eligible unemployed individual may receive is the lesser of:

(1) 80% for 50% of the total unemployment benefit amount which was payable in the applicable benefit year; or

(2) 20 times for 13 times the weekly benefit amount which was payable for a week of total unemployment in the applicable benefit year.

EXPANDED FEDERAL UNEMPLOYMENT BENEFITS

The state is authorized to receive federal unemployment benefit money pending certification by the United States Secretary of Labor under 42 U.S.C. 1103, as amended by the American Recovery and Reinvestment Act of 2009, commonly known as the federal economic stimulus act, for expanding unemployment compensation eligibility criteria. No claimant will be disqualified from unemployment compensation if he or she is separated from work for compelling family reasons including:

- (1) The illness or disability of a member of the claimant's immediate family;
- (2) The need for the claimant to accompany the claimant's spouse to a location from which it is impractical for the claimant to commute due to a change in location of the spouse's employment; or
- (3) Verified domestic violence which causes the claimant to reasonably believe that the claimant's continued employment would jeopardize his or her safety or the safety of any member of the claimant's family as defined by the United States Secretary of Labor.

A claimant who is training under the Workforce Investment Act of 1998 or director-approved training under Section 288.055, RSMo, and who has exhausted his or her regular unemployment benefits will be eligible for additional benefits up to 26 times the amount of his or her weekly benefit amount. The training benefits will be paid under the same terms and conditions as the claimant's regular benefits and after any extended benefits or similar benefits have been paid by a federally funded program. Priority for training funds must be given to claimants laid off through no fault of their own from Missouri automobile manufacturing facilities.

The provisions regarding the expanded eligibility criteria for federal unemployment benefits must be renewed in the next regular session of the General Assembly or they will expire when the funds provided by the federal act are expended. These provisions will not take effect and no benefits will be paid unless first certified by the United States Secretary of Labor under federal regulations.

The bill contains an emergency clause.

HJR 15 — PROPERTY TAX EXEMPTION FOR DISABLED PRISONERS OF WAR

Upon voter approval, this proposed constitutional amendment exempts from property taxation all real property used as a homestead by a former prisoner of war who has a total service-connected disability.

TRULY AGREED TO AND FINALLY PASSED
SENATE BILLS

HCS SS SCS SB 1 — PRENEED FUNERAL CONTRACTS

This bill establishes licensing requirements for sellers, seller agents, and providers of preneed funeral contracts and establishes the Missouri Preneed Funeral Contract Act.

LICENSURE OF PRENEED PROVIDERS, SELLERS, AND AGENTS

The bill:

(1) Increases the membership of the State Board of Embalmers and Funeral Directors within the Department of Insurance, Financial Institutions and Professional Registration from six to 10 with not more than five members from the same political party. The non-public members will be appointed by the Governor with the advice and consent of the Senate, consisting of one from each of the state's Congressional districts. Those appointed to the board are required to submit an audited financial statement of their funeral establishments by an independent auditor for the previous five years including all of their at-need and preneed business;

(2) Authorizes the board to employ legal counsel if necessary;

(3) Exempts certain endowed care cemetery operators from the licensure requirements;

(4) Requires applicants for a preneed provider license to make application with the board; pay an application fee; be registered to conduct business in this state with the Secretary of State; identify the name and address of the custodian of records and all sellers authorized by the provider to sell preneed contracts; and give authorization to the board to inspect, examine, investigate, or audit all records regarding preneed contracts sold;

(5) Requires applicants for a preneed seller license to make application with the board; pay an application fee; be a Missouri resident who is 18 years of age or older or a business entity registered to conduct business in this state with the Secretary of State; identify the name and address of the custodian of records and all providers which have authorized the seller to designate the person as a provider under the contract; identify, if applicable, the financial institution where any preneed trust or joint accounts will be maintained; and give authorization to the board to inspect, examine, investigate, or audit all records regarding preneed contracts sold;

(6) Requires applicants for a preneed agent registration to make application with the board; pay an application fee; be 18 years of age or older; have successfully passed the Missouri law examination as designated by the board; and identify the name and address of each seller for whom they are authorized

to sell, negotiate, or solicit the sale of preneed contracts for, or on behalf of;

(7) Authorizes the board to refuse to issue, suspend, and revoke certificates of registration or authority, permits, or licenses; seek an injunction, restraining order, or other order from the Cole County circuit court; and cause complaints to be filed with the Administrative Hearing Commission as specified in the bill; and

(8) Authorizes the board to adopt and enforce rules for the transaction of its business and for the standards of service and practice to be followed in the professions of embalming, funeral directing, and selling preneed funeral contracts.

MISSOURI PRENEED FUNERAL CONTRACT ACT

The bill establishes the Missouri Preneed Funeral Contract Act which will apply only to preneed contracts made on or after August 28, 2009, and not to certain contracts sold by a cemetery operator for which payments are to be placed in an endowed care fund or a segregated account. In its main provisions, the bill;

(1) Requires the provider designated in the preneed contract to provide final disposition, funeral or burial services and facilities, and funeral merchandise as specified in the contract;

(2) Requires the seller to collect and properly deposit and disburse all payments made by a purchaser to ensure a contract is managed in compliance with the provisions of the bill;

(3) Requires written contractual agreements between providers and sellers. Providers must notify the board of the contractual relationships;

(4) Specifies that preneed contracts must be in writing and include the name, address, and phone number of the purchaser and beneficiary; include the name, address, phone number, and license number of the provider and seller; provide details of the disposition, funeral and burial services and facilities, and merchandise requested; identify the funding mechanism of the contract; include notice that the cancellation of the contract will not affect any life insurance used for funding of the contract; include notice that the purchaser will receive the cash surrender value of any insurance funding the contract if canceled after a designated time; include notice that the purchaser may transfer the provider designation to another provider; prominently identify whether the contract is revocable or irrevocable; establish the terms for a cancellation; identify the trust or joint account where the money will be deposited; include the name, address, and phone number of any insurance company issuing a policy to fund the contract; prominently identify whether the contract is guaranteed or nonguaranteed; and include any

applicable consumer disclosures required by the board by rule and on all guaranteed installment payment contracts regarding what will be owed if the beneficiary dies before all installments have been paid;

(5) Allows a beneficiary who seeks to become eligible to receive public assistance to waive his or her right to any refund or money used to fund his or her preneed contract;

(6) Gives all purchasers the right to cancel or rescind a revocable contract with or without cause;

(7) Requires sellers of trust-funded contracts to deposit 100% of the payments into the designated trust within 60 days of the receipt of the money. The trustee must be a state or federally chartered financial institution authorized to exercise trust powers in this state. The seller is entitled to 15% of the total contract amount, 5% as an origination fee and 10% which may be collected as soon as the funds have been deposited into the trust;

(8) Allows for the commingling of two or more contracts within one trust under certain specified criteria;

(9) Allows all expenses of establishing and administering a trust to be paid from income generated by the trust;

(10) Entitles the seller and provider to income generated by the trust as stipulated in the contract;

(11) Requires the provider to request payment by submitting a certificate of performance to the seller certifying that he or she has rendered services under the contract or as requested. This certificate must be signed by the provider and the person authorized to make arrangements on behalf of the beneficiary;

(12) Requires a trustee to be held to the prudent investor standard and to diversify the investments in the trust unless the trustee reasonably determines that it would be better served without diversification because of special circumstances;

(13) Prohibits providers, sellers, and preneed agents from collecting from the purchaser of an insurance-funded contract any amount in excess of what is required to pay the premiums on the insurance policy. Sellers cannot collect any fees from the purchaser of an insurance-funded contract, other than those fees assessed by the insurer;

(14) Prohibits the use of a loan against any insurance contract to fund a preneed contract;

(15) Allows sellers and purchasers to use joint accounts to fund contracts under specified requirements;

(16) Requires financial institutions to disburse funds from canceled joint account contracts to the purchaser within 15 days of cancellation. In cases

of a canceled trust-funded contract, the trustee must return all of the trust property, less interest, to the purchaser;

(17) Gives a seller the right to cancel a trust-funded or joint-account funded preneed contract which is in default for over 60 days. Purchasers may remit delinquent payments if the seller chooses not to cancel the contract. Upon cancellation by the seller, 85% of the contract payments will be refunded to the purchaser;

(18) Allows a purchaser to choose an alternate provider under the original contract at no charge. When this occurs, the seller has the option of canceling the contract by paying the new provider all of the trust property, including the principal and interest;

(19) Requires sellers to file annual reports with the State Board of Embalmers and Funeral Directors within the Department of Insurance, Financial Institutions and Professional Registration containing the contract number of each contract sold in the last year and whether it is funded by a trust, insurance, or joint account; total number and total face value of contracts sold; amount of each contract sold; name, address, and license number of each preneed agent authorized to sell on the seller's behalf; list of all contracts fulfilled, canceled, or transferred during the preceding year; name and address of each provider with whom they have contractual arrangements; name and address of each custodial record keeper; written consent to investigate, examine, or audit accounts and records; and certification that the report is accurate and complete;

(20) Authorizes the board to establish an annual reporting fee for each preneed contract sold in the year since the date of the last report;

(21) Authorizes the board to conduct inspections, investigations, and financial examinations of providers, sellers, and agents and any trust and joint account holding assets to fund contracts. Subject to funding availability, the financial examinations of sellers of contracts must be conducted at least once every five years;

(22) Authorizes the board to issue subpoenas to compel the production of records and papers of any licensee, trustee, or registrant;

(23) Allows the board; Division of Finance; Department of Insurance, Financial Institutions and Professional Registration; and the Office of the Attorney General to share information regarding any inspection, investigation, examination, or audit;

(24) Requires a provider or seller who intends to cease doing business in this state to notify the board at least 60 days prior to the liquidation of all or a majority of its assets or stock;

(25) Allows contracts to offer the purchaser the option to acquire and maintain credit life insurance; and

(26) Requires the board to maintain as a closed and confidential record all personal information about any preneed purchaser or beneficiary except in certain specified situations.

Anyone violating the provisions of the Missouri Preneed Funeral Contract Act will be guilty of a class C felony.

HCS SCS SB 15 — CONVEYANCES OF STATE PROPERTY

This bill authorizes the Governor to convey:

(1) State property located in Jasper County, known as the Joplin Regional Center, to Missouri Southern State University. The transfer may not occur until the center has relocated to different property;

(2) State property located in St. Louis City, which is currently being used by the Department of Corrections as a minimum security correctional facility, to the Highways and Transportation Commission for the new Mississippi River Bridge project;

(3) State property and a temporary construction easement over, on, and under state property located in the City of Springfield in Greene County to the Arc of the Ozarks;

(4) A permanent storm water easement over, on, and under state property located in the City of Springfield in Greene County;

(5) All interest in an easement across state property located in Macon County to certain private property owners for the purpose of obtaining access to their property;

(6) State property located in Cape Girardeau County to the Highways and Transportation Commission;

(7) State property located in Boone County, known as the Mid-Missouri Mental Health Center, to the Curators of the University of Missouri;

(8) State property located in St. Louis City, which currently is being leased by Harris-Stowe State University, to the university; and

(9) Easements on state property in Cooper County, which is currently being used by the Department of Corrections, to the City of Boonville for the purpose of constructing a road.

The Director of the Department of Natural Resources is authorized to lease state property in Clinton County to the Clinton County Public Water Supply District Number 3 for constructing an elevated water storage tank.

The bill contains an emergency clause for the provisions regarding the conveyance in Boone

County and the temporary construction easement and the permanent storm water easement in Greene County.

SB 26 — ALCOHOL BEVERAGE VAPORIZERS

This bill prohibits the use or possession of an alcohol beverage vaporizer. Any substance that has been approved by the United States Food and Drug Administration as a therapeutic drug product, is contained in an approved over-the-counter drug product, or is administered lawfully by an order of an authorized medical practitioner is exempt from this provision.

HCS SCS SB 36 & 112 — FORCIBLE SEXUAL OFFENSES AGAINST CHILDREN

Currently, the penalty for the crime of forcible rape or sodomy of a child younger than 12 years of age is a term of imprisonment with no eligibility for probation or parole until the offender has served at least 30 years. This bill specifies that when the offense was outrageously or wantonly vile, horrible, or inhuman, in that it involved torture or depravity of mind, the penalty will be life imprisonment without eligibility for probation, parole, or conditional release.

SCS SB 37 — STATE PUBLIC DEFENDER SYSTEM

(Vetoed by the Governor)

This bill changes the laws regarding the State Public Defender System. In its main provisions, the bill:

(1) Redefines certain positions in the State Public Defender System to reflect its current administrative structure and specifies that the deputy director will exercise the director's duties only when the director is temporarily absent or has resigned;

(2) Increases the membership of the Public Defender Commission from seven to eight members by adding an actively serving assistant public defender who has at least one year of service in that position. A member who serves as an assistant public defender will receive his or her regular salary, and no adverse employment action can be taken against him or her for any vote taken or comment made during a commission meeting;

(3) Specifies that the commission will select only the director and deputy directors and will establish procedures for selecting division directors and district defenders but not for other public defenders or staff. The director will establish salaries and supervise all other employees who will serve at the director's pleasure. The commission may authorize the director to contract with private attorneys to provide defense services;

(4) Removes the provision that public defenders serve a term of four years;

(5) Requires the commission to establish maximum public defender caseload standards and allows the director to participate in cases at his or her discretion and to ensure that caseloads remain within the maximum caseload standards;

(6) Allows an amount equal to 20% of the current annual appropriation to the Legal Defense and Defender Fund to be retained at the end of the fiscal year. Currently, the amount retained cannot exceed \$150,000;

(7) Specifies that the system may only provide defense services to an eligible client who is detained or charged with a misdemeanor when the prosecuting attorney has requested a jail sentence and a conviction would probably result in confinement in a county jail;

(8) Requires the state to pay the parking costs for public defender system employees;

(9) Establishes a system for handling an overload of cases based on a waiting list for defender services. Courts may use both public and private defenders to the extent that funds are available to ensure that all persons subject to incarceration receive legal defense; and

(10) Requires state and local governments to disclose, upon request and without fee, information and financial records regarding an individual seeking indigent defense services free of charge to any employee of the system instead of only to specified employees. Photographs, recordings, and electronic files must also be provided to the public defender system without charge.

CCS#2 HCS SCS SB 44 — PRIVATE JAILS

This bill changes the laws regarding private jails. In its main provisions, the bill:

(1) Specifies that a private jail is a facility not owned or operated by the state, a county, or a municipality which confines or detains prisoners and makes these facilities subject to all state laws and local ordinances;

(2) Requires all reports regarding violations of state law which result in a punishment of at least one year in prison to include the name and address of the private jail, the name of the prisoner who may have committed the crime, information regarding the nature of the crime, the name of the complainant, and any other relevant information;

(3) Requires the administrator of a private jail to report in a timely manner all state criminal law violations to the law enforcement agency having

jurisdiction over the area in which the private jail is located. The administrator and employees are required to cooperate with law enforcement in any investigation of a crime committed in a private jail;

(4) Requires private jails, in the event of an escape, to promptly notify the proper law enforcement agency, the State Highway Patrol, and any court or governmental agency from which the escapee was referred. The jail must provide all available information regarding the escape and the escapee to law enforcement agencies;

(5) Establishes immunity from civil and criminal liability for administrators and employees making reports or testifying, unless the person acted with malice;

(6) Requires prisoners to be separated by gender and cause for incarceration;

(7) Requires the jail administrator to arrange for necessary health care services and provide adequate food, clothing, and bedding;

(8) Prohibits inmates of a private jail to be used for the profit, betterment, or personal gain of any employee of the county or any employee of the private jail;

(9) Requires all investigations performed by local law enforcement to be concluded in a timely manner and a written report of the conclusions provided to the jail;

(10) Prohibits the state or a political subdivision from contracting with private jails, unless the private jail provides written documentation of its ability to indemnify the state or political subdivision for any liability which attaches to the state or political subdivision as a result of the contract or services provided under the contract;

(11) Prohibits any person from knowingly delivering, attempting to deliver, having in his or her possession, or depositing or concealing any controlled substance or specified contraband in or about the premises of any private jail;

(12) Makes it a crime to damage a private jail;

(13) Requires private jail administrators to make inquiry to the Missouri Uniform Law Enforcement System and the National Crime Information Center prior to an inmate's release. If an administrator purposely fails to make inquiry with the intent to release an inmate who has an outstanding warrant, he or she will be guilty of a class A misdemeanor;

(14) Includes private jails and county correctional facilities under the provisions of law regarding the crime of escape or attempted escape from confinement; and

(15) Specifies that nothing in the bill will create any new civil cause of action under Missouri law.

CCS HCS SCS SB 47 — LAW ENFORCEMENT PERSONNEL

This bill allows any person who has completed a high school program of education under Chapter 167, RSMo; obtained a General Educational Development (GED) certificate; or obtained advanced education and experience as approved by the Superintendent of the State Highway Patrol or Commissioner of the State Water Patrol to become a member of either patrol or its radio personnel. Currently, members must have graduated from an accredited four-year high school or received a certificate of equivalency from the Department of Elementary and Secondary Education or other source recognized by the department.

Currently, all sheriffs, except the sheriff of St. Louis County, must hold a valid peace officer license except during the first 12 months of the first term of office of any sheriff who is eligible and intends to become licensed as a peace officer. Beginning January 1, 2010, the bill removes the 12-month grace period.

SB 126 — LIFE INSURANCE

This bill prohibits life insurance companies doing business within the state from denying or refusing to accept an application for life insurance; refusing to renew, cancelling, restricting, or terminating a life insurance policy; or charging a different rate for the same life insurance coverage based on the individual's past or future lawful travel destinations unless it is based on a specific travel destination where the denial, restriction, or rate differential is based on sound actuarial principles or is related to an actual or reasonably anticipated experience. A violation of these provisions will be considered an unfair trade practice and subject to the penalties specified in Sections 375.930 - 375.948, RSMo. The provisions of the bill will apply to any life insurance policy issued or renewed on or after August 28, 2009.

SCS SB 140 — CRIMINAL NONSUPPORT

This bill allows criminal nonsupport courts to be established by any circuit court to provide an alternative for the disposal of criminal nonsupport cases. The court must combine judicial supervision, substance abuse treatment, education, vocational or employment training, work programs, and support payment plans for participants. Charges and penalties may be dismissed, reduced, or modified based upon the successful completion of the program or support payment plan, the defendant becoming gainfully employed, or the defendant commencing payment of the current and accrued support. Courts

may place incarcerated persons on work release subject to conditions mandating payment of child support and any arrearage. The bill establishes a 10-member Criminal Nonsupport Courts Coordinating Commission to coordinate the allocation of resources made available through the newly created Criminal Nonsupport Court Resources Fund. Beginning August 28, 2009, every nonviolent first- and second-time offender incarcerated for criminal nonsupport, who has not previously been placed on probation or parole for the conviction of criminal nonsupport, may be considered for parole or work release.

The penalty for criminal nonsupport will be a class A misdemeanor unless the total arrearage is in excess of the total of 12 monthly payments in which case it will be a class D felony. Currently, it is a class D felony if the person owes more than \$5,000 or has failed to pay six months of payments within the last 12-month period. Individuals on probation and parole for criminal nonsupport may be ordered to begin payment of current support as well as satisfy the arrearages or have their probation or parole revoked and an appropriate sentence imposed unless he or she proves good cause for the failure. The affirmative defense of inability to provide support for good cause must be proven by a preponderance of the evidence.

SS SCS SB 141 — PATERNITY DETERMINATIONS

This bill changes the laws regarding paternity and child support. In its main provisions, the bill:

(1) Requires a notification form to be attached to the delivery of a paternity petition through service of process of the individual's right to contest paternity and to request genetic testing to prove or disprove paternity. Petitions may be filed in a circuit court requesting a modification of an existing child support or paternity judgment at any time prior to December 31, 2011. After that date, the petition must be filed within two years of the original judgment of paternity or support, whichever occurs later;

(2) Allows the court to order genetic testing to determine paternity with the costs paid by the petitioner if there is probable cause to believe that the testing may result in a determination of non-paternity;

(3) Requires the court upon a finding of non-paternity to set aside a previous paternity and/or child support judgment, nullify any existing child support arrearage, and order the Department of Health and Senior Services to modify the child's birth certificate unless it is in the best interest of all parties not to do so;

(4) Prohibits the recovery of moneys paid under previous court orders and specifies that the

provisions of the bill do not apply to the parent of an adopted child;

(5) Requires a court to order the expungement of criminal records for the offense of criminal nonsupport when the petitioner was found not to be the biological parent of the child; and

(6) Requires, beginning January 1, 2010, the Family Support Division within the Department of Social Services to track and submit an annual report by December 31 to the General Assembly on the number of cases in which a court set aside a previous judgment under the provisions of the bill.

**HCS SB 147 — MISSOURI HEALTHY
WORKPLACE RECOGNITION PROGRAM**
(Vetoed by the Governor)

This bill requires the Governor's Council on Physical Fitness and Health to establish and develop the Missouri Healthy Workplace Recognition Program to recognize employers with more than 50 employees for excellence in promoting health, wellness, and prevention. The bill specifies the minimum criteria to receive the official state recognition. Each year five employers will be designated as the healthiest places to work in Missouri. The information will be posted on the state's Internet web site, and the employer will receive a plaque for this recognition.

The provisions of the bill will expire six years from the effective date.

**HCS SCS SB 152 — NURSING STUDENT LOAN
PROGRAM**

This bill revises the definition of "eligible student" as it relates to the Nursing Student Loan Program to allow a student seeking a doctoral degree in nursing or a student with a master of science in nursing seeking a doctorate in education to participate in the loan program. The doctoral applicant may be a part-time student.

SCS SB 153 — MARKETING OF COMMODITIES
(Vetoed by the Governor)

This bill changes the laws regarding the marketing of commodities. In its main provisions, the bill:

(1) Specifies that the receipt by a member of a cooperative association of the economic benefits and services provided by the cooperative to its members including, but not limited to, a return on a patronage basis of the savings realized on milk products sold and distributed to the members or patrons or a refund based on the patronage of the purchaser with the association will not be considered a violation of Section 416.440, RSMo, the Unfair Milk Sales Practices Act;

(2) Defines "imitation milk," "imitation milk products," and "milk" and revises the definition of "milk products" in order to clarify the difference between milk and imitation milk and the difference between milk products and imitation milk products for the purposes of the act;

(3) Changes the membership of the Rice Advisory Council to require certain members to be employed as or by a rice handler and an end user of rice; and

(4) Specifies that any animal or bird under investigation by the State Veterinarian for the presence of a toxin cannot be removed from the premises until certain test results are known and the veterinarian certifies that the animal or bird is free of the toxin and incapable of spreading the toxin. The State Veterinarian is authorized to choose the method of eradication of the toxin and may restrict the movement of any animal or bird under investigation for the presence of a toxin. Once the investigation and testing is completed, the animal or bird must be released from the holding period or placed under permanent quarantine by the State Veterinarian or his or her representative.

HCS SB 154 — NONPROFIT SEWER COMPANIES

This bill authorizes a nonprofit sewer company to provide the same services and assume all responsibilities as authorized to a nonprofit water company when approved by its members in an area not within the boundaries of an existing public water supply district, municipal utility, or the certificated area of a water corporation.

SB 156 — TRAVEL CLUBS
(Vetoed by the Governor)

This bill specifies that any use of travel club membership benefits during the three-business-day rescission period of the membership contract will not waive the member's right to rescind the contract and requires the rescission statement that must be printed in the form of a disclaimer on all contracts to reflect that change.

HCS SCS SB 157 — AUTISM

This bill requires the Division of Developmental Disabilities within the Department of Mental Health to establish programs and services for individuals diagnosed with autism in conjunction with individuals with autism, the families of persons with autism, the regional parent advisory councils, and the newly established Missouri Parent Advisory Committee on Autism to enhance a person with autism spectrum disorders and his or her family's ability to meet the needs they identify. The committee members will be

appointed by the division director and must submit an annual report to the Missouri Commission on Autism Spectrum Disorders, the Governor, and the department and division directors.

The division director, with input from the parent advisory committee, must divide the state into at least five regions and establish autism programs and services which are responsive to the needs of persons with autism and their families consistent with contemporary and emerging best practices. Each regional project must have a regional parent advisory council with its membership and responsibilities specified in the bill.

SB 161 — POLICE AND FIREMEN'S PENSION SYSTEM INVESTMENTS

Currently, the boards of trustees of police and firemen's pension systems must invest the funds of the systems subject to all terms, conditions, limitations, and restrictions imposed upon life insurance or casualty companies. This bill removes those terms, conditions, limitations, and restrictions and requires the boards to invest the funds as permitted in Sections 105.687 - 105.690, RSMo, regarding the duties of investment fiduciaries.

HCS SCS SB 179 — CONVEYANCES OF STATE PROPERTY

This bill authorizes the Governor to convey:

(1) State property located in Jasper County, known as the Joplin Regional Center, to Missouri Southern State University. The transfer may not occur until the center has relocated to different property;

(2) State property located in St. Louis City, which is currently being used by the Department of Corrections as a minimum security correctional facility, to the Highways and Transportation Commission for the new Mississippi River Bridge project;

(3) State property and a temporary construction easement over, on, and under state property located in the City of Springfield in Greene County to the Arc of the Ozarks;

(4) A permanent storm water easement over, on, and under state property located in the City of Springfield in Greene County;

(5) All interest in an easement across state property located in Macon County to certain private property owners for the purpose of obtaining access to their property;

(6) State property located in Cape Girardeau County to the Highways and Transportation Commission;

(7) State property located in Boone County, known as the Mid-Missouri Mental Health Center, to the Curators of the University of Missouri;

(8) State property located in St. Louis City, which currently is being leased by Harris-Stowe State University, to the university; and

(9) Easements on state property in Cooper County, which is currently being used by the Department of Corrections, to the City of Boonville for the purpose of constructing a road.

The Director of the Department of Natural Resources is authorized to lease state property in Clinton County to the Clinton County Public Water Supply District Number 3 for constructing an elevated water storage tank.

The bill contains an emergency clause for the provisions regarding the conveyance in Boone County and the temporary construction easement and the permanent storm water easement in Greene County.

HCS SB 196 — PUBLIC WATER SUPPLY DISTRICTS

Currently, any territory included in a water supply district that is not being served by the district may be removed from the district if the district, acting through its board of directors, files a petition with the circuit court in which the district was incorporated. This bill allows any person to name the district as a defendant and serve a copy of the petition upon the district at least 35 days before the petition hearing if the district does not file the petition. The petition must be served by certified or registered mail, with a return receipt requested. When the petition is not submitted by the district, it may file exceptions or objections. In considering the petition for detachment, the court must take into consideration the evidence in support of and opposition to the petition. The clerk of the circuit court must give notice to the district of the filing of the petition and the hearing. The notice must be sent by certified or registered mail, with a return receipt requested, and published in a newspaper of general circulation in the county in which the proceedings are pending and in a newspaper of general circulation in the territory proposed to be detached.

SCS SB 202 — OPERATION OF A MOTORCYCLE (Vetoed by the Governor)

This bill specifies that operating a motorcycle, in and of itself, will not be considered evidence of comparative negligence in any action to recover damages arising out of the ownership, common maintenance, or operation of a motor vehicle. When investigating an accident or settling a claim, no insurer, agent, producer, or claims adjuster can assign a percentage of fault to a party based upon the sole fact that the party was operating a motorcycle in an otherwise legal manner.

Any person 21 years of age or older is allowed to operate or ride as a passenger on any motorcycle or motortricycle without protective headgear upon any highway of the state except on an interstate highway.

The provisions regarding the motorcycle helmet exemption will expire August 28, 2014.

SCS SB 216 — DEBT SETTLEMENT PROVIDERS *(Vetoed by the Governor)*

This bill changes the laws regarding debt settlement providers. In its main provisions, the bill:

(1) Requires a debt settlement provider to only engage in debt settlement services for compensation under a debt settlement plan;

(2) Defines “debt settlement service” as the negotiation, settlement, or alteration of the terms of payment of a consumer’s unsecured debt with the consumer’s creditor without receiving or holding money from a consumer for the purpose of distributing that money to the creditor;

(3) Prohibits the provider from charging more than 4% of the principal amount of the debt for an enrollment or set-up fee and more than 20% of the principal amount of the debt in aggregate fees. The balance must be collected in equal payments over a period determined by the provider as long as the last payment is due no sooner than the median month in the plan. Upon completion of the plan, the aggregate fees cannot exceed the amount the plan reduces the principal amount of the debt originally enrolled in the plan. The debtor may voluntarily prepay fees, and the provider may collect fees on a pro-rata basis once the provider obtains reasonable offers of settlement from any creditors;

(4) Requires a provider to carry aggregate liability insurance in the amount of at least \$1 million;

(5) Authorizes the Attorney General to enforce the provisions of the bill; and

(6) Authorizes a circuit court to enjoin any person from acting or offering to act as a debt settlement provider and to order a provider to correct any violation, including making restitution of money or property to a person aggrieved by a violation.

SB 217 — CORPORATIONS AND LIMITED LIABILITY COMPANIES

This bill allows shareholders and proxyholders of Missouri corporations to participate in shareholder meetings by remote communication if authorized by the board of directors and subject to any guidelines and procedures that the board adopts. The corporation must implement reasonable measures to verify that each person participating by remote

communication is a shareholder or proxyholder and that each is provided an opportunity to participate in the meeting and to vote on submitted matters. A record of votes or any other action by any shareholder or proxyholder by means of remote communication at the meeting must be maintained by the corporation.

The Secretary of State is authorized to administratively cancel the articles of organization of a limited liability company or a limited liability partnership if the period of duration in the articles expires and the company or partnership does not amend the articles in a timely manner. The Secretary of State may rescind a cancellation under certain circumstances.

SB 224 — ARTICLES OF INCORPORATION

This bill repeals a provision that prohibited a corporation from changing the name of an incorporator in an amended articles of incorporation. A restated articles of incorporation may omit the names of the incorporators, the names and addresses of the original board of directors, and any provision contained in an amendment that was necessary to effect a change, exchange, reclassification, subdivision, combination, or cancellation of stock if it has become effective.

SCS SB 231 — LANDLORD-TENANT ACTIONS

This bill exempts landlords, or any of their successors, assigns, agents, or representatives, from liability for any loss or damage to household goods, furnishings, fixtures, or other personal property resulting from the removal or disposal of the property under a court-ordered execution for possession of the premises except for willful, wanton, or malicious acts or omissions. If any property bears a conspicuous permanent label or mark identifying it as the property of a third party, the landlord must notify the third party by certified mail with a return receipt requested to remove the property within five business days of receipt of the notification to recover the property. If the landlord is unable to notify the third party, he or she may dispose of the property and will not be liable for the loss or damages.

SB 232 — EDUCATION REQUIREMENTS FOR PUBLIC EMPLOYEES

This bill prohibits municipal fire and police departments, state agencies and departments, and political subdivisions of the state from discriminating in employment practices based on an individual’s elementary or secondary education program if the program is permitted under state law. An employer may require an individual to have other abilities or skills applicable to the duties of a position.

**HCS SB 235 — MANUFACTURED HOMES,
SAWMILLS, AND LENDING INSTITUTIONS**
(Vetoed by the Governor)

This bill changes the laws regarding manufactured homes, classification of sawmills, and lending institution services.

**CONVERSION OF MANUFACTURED HOMES
TO REAL PROPERTY** (Sections 137.115, 362.105,
365.020, 365.200, 369.229, 370.300, 400.9-303,
400.9-311, 408.015, 408.250, 436.350, 441.005,
442.010, 442.015, 513.010, 700.010, 700.111,
700.320, 700.360, 700.375, 700.525, and 700.630,
RSMo)

The bill establishes procedures for converting a manufactured home to real property or from real property back to personal property. In its main provisions, the bill:

(1) Requires a manufactured home to be permanently affixed if it is anchored to real estate by attachment to a permanent foundation and connected to residential utilities to qualify as real property and requires an affidavit of affixation to contain certain specified information and to be filed with the recorder of deeds;

(2) Allows a manufactured home once deemed to be real estate to be governed by the laws applicable to real estate;

(3) Requires an affidavit of severance to be filed with the Department of Revenue when a manufactured home is removed from its permanent foundation stating the property description and any information that could affect the validity of the title of the manufactured home or the existence of a security interest or lien; and

(4) Prohibits the department director from issuing a certificate of title when an affidavit of affixation has been recorded. The issuance is only allowed upon the recording of an affidavit of severance.

MANUFACTURED HOMES (Sections 700.100,
700.330, 700.350, 700.370, 700.385, and 700.526
- 700.529)

The bill changes the laws regarding manufactured homes. In its main provisions, the bill:

(1) Authorizes the Missouri Public Service Commission to suspend, revoke, or place on probation the license of a manufactured home dealer for failure to obtain a written notice signed and dated by the purchaser of a used manufactured home or modular unit which states that the commission does not regulate the setup of used manufactured homes and modular units sold by the dealer;

(2) Allows the sole owner of a manufactured home and multiple owners who hold their interest as joint tenants with the right of survivorship or as tenants by

the entirety, upon application and payment of the fee required for an original certificate of ownership, to request the Director of the Department of Revenue to issue a certificate of ownership for the manufactured home in beneficiary form which includes a directive to the department director to transfer the certificate of ownership upon the death of the sole owner or of all multiple owners to one beneficiary or to two or more beneficiaries as joint tenants with right of survivorship or as tenants by the entirety named on the face of the certificate;

(3) Allows the owner to revoke the certificate of ownership or change beneficiaries. The certificate may be revoked by the sale of the home or by filing an application to reissue the certificate with no designation or a different designation of a beneficiary and paying the fee for an original certificate of ownership;

(4) Requires the department director to issue a new certificate of ownership to the surviving owners or beneficiaries upon proof of an owner's death, surrender of the outstanding certificate, and payment of a fee;

(5) Requires lienholders to notify the department director within 10 business days of any release of a lien if an electronic certificate of ownership is being held by the department director;

(6) Requires the holder of any security interest in a manufactured home to verify to the department that he or she has paid all past due rent which the holder is obligated to pay to the landowner if the home was repossessed;

(7) Specifies what determines an abandoned manufactured home that is located on another person's property;

(8) Changes the process for enforcing liens for unpaid rent against a manufactured home. Landowners must provide the homeowner with written notice prior to enforcing the lien and give him or her the opportunity to pay any rent owed. The notice must advise the homeowner of his or her legal rights including the right to contest the lien; and if the homeowner does not redeem the home within 30 days from the date of mailing the notice and no petition has been filed in circuit court to contest the lien within 10 days of the receipt of the notice, the landowner may apply for a certificate of title;

(9) Authorizes the landowner to begin proceedings to sell a home within 30 days of receipt of the lien title;

(10) Requires the homeowner to be given at least 20 days' notice of the sale of a home;

(11) Specifies how the proceeds of the sale are to be distributed;

(12) Allows a homeowner to contest a lien brought by the landowner by filing a petition within 10 days of the mailing of the notice in the appropriate circuit court; and

(13) Prohibits perfected lienholders or homeowners of an abandoned manufactured home located on property which is being leased from removing the home until the landlord is paid any rent owed.

CLASSIFICATION OF SAWMILLS FOR PROPERTY TAXES (Section 137.016)

The bill classifies a sawmill or planing mill as defined in the United States Department of Labor's Standard Industrial Classification (SIC) Manual under Industry Group 242 with SIC numbers 2421, 2426, or 2429 as agricultural and horticultural property instead of commercial property for property taxation purposes.

LENDING INSTITUTION SERVICES (Sections 408.052, 408.094, 408.140, 408.233, and 408.300)

A lending institution is allowed to sell a deficiency waiver addendum, guaranteed asset protection, or similar product purchased as part of a loan transaction with collateral and at the borrower's option if the cost of the product is disclosed in the loan contract and if the plan does not include reimbursement for a deductible on a property insurance claim.

Lenders may offer, sell, and finance automobile club memberships, home and auto security plans, and other plans and services that benefit a borrower.

CCS HCS SCS SB 242 — SEWER DISTRICTS (Vetoed by the Governor)

This bill changes the laws regarding sewer districts. In its main provisions, the bill:

(1) Prohibits the Metropolitan St. Louis Sewer District from assessing a district residential property owner any fee, charge, or tax for storm water management services if the district does not directly provide sanitary sewer services to the property and the storm water runoff from the property does not flow or is not otherwise conveyed to a sewer maintained by the district;

(2) Provides an alternative procedure for issuing bonds for a common sewer subdistrict partially or completely located in Cass County by allowing the subdistrict to issue bonds if it receives approval from three-quarters of the customers of the subdistrict as specified in the bill; and

(3) Prohibits the City of Arnold from imposing a storm water usage fee based on the runoff rate of storm water on impervious surfaces on property owned by a church, public school, nonprofit organization, or political subdivision.

The bill contains an emergency clause for the provisions regarding the alternative procedure for issuing bonds in Cass County.

SCS SB 243 — LENDING INSTITUTION SERVICES

(Vetoed by the Governor)

This bill allows a lending institution to sell a deficiency waiver addendum, guaranteed asset protection, or similar product purchased as part of a loan transaction with collateral and at the borrower's option if the cost of the product is disclosed in the loan contract.

SCS SB 265 — STATEWIDE COURT AUTOMATION FEE

This bill extends the expiration date of the collection of the Statewide Court Automation Fund fee from September 1, 2009, to September 1, 2013, and allows the Court Automation Committee to continue to function until September 1, 2015.

SB 277 — IRREVOCABLE LIFE INSURANCE TRUSTS

This bill allows certain banks, trust companies, savings and loan associations, and savings banks to transfer by assignment some or all of its fiduciary obligations consisting of irrevocable life insurance trusts to the Missouri trust office of an out-of-state bank with trust powers or an out-of-state trust company.

HCS#2 SS SB 291 — EDUCATION

This bill changes the laws regarding education. In its main provisions, the bill:

(1) Adds a general election day for the year 2009 on the first Tuesday after the first Monday in November to permit school districts to utilize the bonding provisions of the American Recovery and Reinvestment Act of 2009, commonly known as the federal economic stimulus act (Section 115.121, RSMo);

(2) Establishes the School Flex Program to allow certain eleventh and twelfth grade students to attend school and work while fulfilling course and credit requirements under a flex school plan tailored to the individual student. School districts participating in the program must submit an annual report to the Department of Elementary and Secondary Education, and the department must report annually to the Joint Committee on Education regarding the program's effectiveness. The compulsory school attendance

age requirement is revised from attaining 16 years of age to attaining 17 years of age or completing 16 credits toward high school graduation, with a definition of attaining credits that recognizes the way in which records are kept for home schools. The bill clarifies that a home school's records will only be reviewable by the local prosecuting attorney. The change in the compulsory attendance requirement will not apply to the St. Louis City School District. At the option of a school district, it may adopt a school week with less than five school days while maintaining the required 1,044 hours of attendance; however, if the school district meets at least two fewer performance standards on two successive annual performance reports than it met on its last annual performance report prior to implementing a school year of less than 174 days, the district must revert back to a five-day school week (Sections 160.011, 160.041, 160.539, 167.031, 171.029, and 171.031);

(3) Requires the joint committee to study the issue of open enrollment for students across school district boundary lines and to submit a report of its findings and any recommendations by December 31, 2009, to the General Assembly (Section 160.254);

(4) Prohibits any school discipline policy which confines an unattended student in a locked space, except while awaiting the arrival of law enforcement personnel. The department in cooperation with appropriate associations, organizations, agencies, and individuals with specialized expertise in behavior management must develop a model policy by July 1, 2010. By July 1, 2011, school districts must adopt a written policy to address the use of restrictive behavioral intervention as a form of discipline or behavior management technique and specifies what the policy must include (Section 160.263);

(5) Establishes the Missouri Senior Cadets Program to provide opportunities for certain twelfth graders in public school to mentor kindergarten through eighth grade students. Eligible twelfth graders who donate an average of at least 10 hours per week during the academic year will receive one elective class credit that may be used to satisfy graduation requirements. If a student attends a college with the intention of becoming a teacher, the state will provide, subject to appropriations, a reimbursement for the cost of three credit hours per semester for up to eight semesters (Section 160.375);

(6) Requires the sponsor of a charter school receiving sponsorship funding to expend no less than 90% of its sponsorship funds in support of its charter school sponsorship program or as a direct investment in the sponsored school, have fair procedures and rigorous criteria for its application process, grant charters only to developers who

show strong capacity for establishing and operating a quality charter school, negotiate charter school contracts that clearly articulate the rights and responsibilities of each party, conduct contract oversight, and implement a transparent and rigorous process to make merit-based renewal decisions. Currently, a charter school sponsor is allowed to revoke a charter if the charter school commits certain acts. The bill requires a charter school sponsor to revoke a charter or take other appropriate remedial action if the charter school commits certain acts. Charter schools may maintain an insurance policy in the amount of \$500,000 or more to provide coverage in the event of employee theft as an alternative to a surety bond based on the school's cash flow. The joint committee must conduct a study comparing certain specified performance assessments of charter school students with a group of district students representing an equivalent demographic and geographic population and examining the charter school's impact on the district's constituents. A review of best teaching practices in the charter schools will also be part of the study (Sections 160.400, 160.405, and 160.410);

(7) Removes from the definition of "state adequacy target" the inclusion of the gaming revenues from the repeal of the loss limits on the effective date of this section. Beginning July 1, 2010, revenue generated from the passage of Proposition A in 2008 will be deposited into the Classroom Trust Fund. The 5% limit on increases in state funding from the recalculation of current operating expenditures is removed effective July 1, 2010. The definition of "special education pupil count" is revised, effective July 1, 2009, to include students with service plans. The declining summer school average daily attendance penalty is repealed. Beginning in the 2010-2011 school year and thereafter, all proceeds a school district receives from the Classroom Trust Fund in excess of the amount it received in the 2009-2010 school year must be placed in the school district's teachers' and incidental funds. The Schools First Elementary and Secondary Education Improvement Fund is repealed and references are removed regarding the annual audit of the fund by the State Auditor (Sections 160.534, 163.011, 163.031, 163.043, 313.775, 313.778, and 313.822);

(8) Allows the Governor to establish the P-20 Council as a private not-for-profit corporation to create a more efficient and effective education system to more adequately prepare students for the challenges of entering the workforce. The council's board of directors will consist of 13 members, including the Director of the Department of Economic Development, the commissioners of Education and Higher

Education, the chairpersons of the Coordinating Board for Higher Education and the Coordinating Board of Early Childhood, the President of the State Board of Education, and seven members appointed by the Governor. The powers and duties of the council include receiving and borrowing money; studying the potential for a state-coordinated economic and educational policy that addresses all levels of education; identifying obstacles which make state support of certain programs difficult and suggesting remedies; exploring ways to better align academic content; and reporting annually to the Governor and General Assembly by November 1 on its structure, operation, and financial status. Provisions requiring certain officials to meet and discuss ways to create a more efficient and effective education system semiannually are repealed (Sections 160.730 and 160.800 - 160.820);

(9) Creates the Persistence to Graduation Fund to be used by the Department of Elementary and Secondary Education for grants to implement dropout prevention strategies. The department must establish a procedure for school districts to apply for a grant. Subject to appropriations, a grant for a term of one to five years will be available to a school district having at least 60% of its students eligible for a free or reduced-price lunch. The department must give preference to school districts proposing a holistic approach to dropout prevention. The department may stop payments upon 30 days' notice to a district if it determines that the district is misusing funds or if the district's program is deemed ineffectual. The department must annually report by January 15 to the Governor and the General Assembly on the recipients, amount of grants, and persistence to graduation data for the preceding five years (Section 160.950);

(10) Requires the state board to provide seven days' written notice, instead of the current five days' written notice, of board meetings to members. The number of members needed to request a meeting of the board is reduced from four to three. Any business before the board must be made available by free electronic record at least seven business days before the meeting. Records from a meeting must be available by free electronic media within 48 hours after the meeting. Any materials prepared for board members must be delivered to the members at least five days before the meeting and be available electronically. The Commissioner of Education is required to study and evaluate the progress of public schools in achieving instructional goals and to make these findings available by free public electronic media. Currently, certain information about students 16 years of age and older who drop out of school must be reported to the State Literacy Hotline Office. The bill requires records and reports based

upon these school reports to be made available by free electronic record on the department's web site on the first business day of each month without the identifying information on individual students (Sections 161.072, 161.122, and 167.275);

(11) Requires each public school to develop teaching standards by June 30, 2010. The standards must include student participation, use of various forms of assessment, communication skills, instructional knowledge, and professional behavior. Upon request, the department may assist public schools in developing these standards (Section 161.380);

(12) Establishes the Volunteer and Parents Incentive Program to reimburse parents or volunteers who donate time at certain schools. Eligible individuals must donate time at a school in an unaccredited or provisionally accredited district or at a district that has more than 50% of its student population classified as at-risk. For every 100 hours donated, the department will provide, subject to appropriations, a reimbursement toward the cost of three credit hours at a public institution of higher learning located in Missouri, not to exceed \$500 every two years. If a participating school district becomes accredited, it may continue to participate in the program for an additional two years (Section 161.800);

(13) Requires the department to publish, by January 1, 2010, the Parents' Bill of Rights for the parents of children with individualized education programs in a clear concise language that includes, but is not limited to, the parents' rights under federal and state law to participate in meetings, to obtain copies of records, to have an advocate present, and to receive a nonexclusive list of services to which a child may be entitled. The department must post a copy of the publication on its web site. Each school district must provide a copy of the publication to the parents or guardians of certain specified students (Section 161.850);

(14) Allows the state board to appoint additional members to any special administrative board appointed under Section 162.081 regarding lapsed school districts. The state board may set a final term with an end date of June 30 for any member whose successor will be elected by the district's voters on the general municipal election day immediately prior to the expiration of the final term of office. Otherwise qualified appointed special board members are allowed to run for an elected seat on the board. If the state board replaces the chair of the special board, the members of the special board are authorized to appoint and sign a contract for a superintendent of schools. The state board may also set a date for the school district to return to local governance and continue operation as a district as authorized by law (Section 162.083);

(15) Allows school districts to maintain permanent records in a digital or electronic format. School districts must follow the manufacturer's guidelines for the use of the media, including the manufacturer-suggested period of time for use and storage (Section 162.204);

(16) Allows the Blue Springs School District to commission a peace officer under specified conditions (Section 162.215);

(17) Specifies that a 45-minute or more difference per trip in travel time for students will be a consideration when a board of arbitration decides whether to modify the boundary lines between districts in a disputed school district boundary change election and removes the requirement that a board of arbitration approve a boundary change based upon a school's accreditation status (Section 162.431);

(18) Requires a vacancy on the school board of the Kansas City School District to be filled by a special election instead of by an appointment by the board members. A special election will be held if a vacancy occurs more than six months prior to the next general municipal election. The state board is responsible for ordering a special election when a vacancy occurs. If a vacancy occurs less than six months prior to the next general municipal election, the vacancy will be filled at the next general municipal election (Section 162.492);

(19) Establishes the Missouri Preschool Plus Grant Program as a pilot program within the Missouri Preschool Project, serving up to 1,250 students with high quality early childhood educational services to improve school readiness outcomes. It will be administered by the department in collaboration with the Coordinating Board of Early Childhood. Unaccredited school districts and nonsectarian community-based organizations in these school districts may receive three-year renewable grants, subject to appropriations. At least 50% of the placements must be offered through nonsectarian community-based organizations. Families with incomes at or above 130% of the federal poverty level may be charged a fee on a sliding scale. Children of active duty military personnel must receive admission preference. Districts must collect student performance data. The department will accept applications in a competitive bid process to begin implementing the program in the 2010-2011 school year. The program will be funded through general appropriations and not through money from the Gaming Commission Fund (Section 162.1168);

(20) Specifies that school districts offering virtual courses to resident-enrolled students will receive state school funding for those students. School districts may offer virtual courses through technologies

specified in the bill and develop a virtual program for any grade level. Charter schools may also offer virtual courses for students enrolled in the charter school and receive state funding. Private, parochial, or homeschooled students residing within a school district offering virtual school courses may enroll to participate in virtual school courses. For purposes of the calculation and distribution of school funding, attendance of a student enrolled in a virtual class will equal, upon course completion, 94% of the hours of attendance for the class delivered in the non-virtual program. Course completion will be calculated in two 50% increments, and state funding will be distributed in two increments at an amount equal to 47% of hours of attendance possible for the course delivered in the non-virtual program of the school. Special school districts must count any student's completion of a virtual course or program in the same manner as the completion of any other course or program. School districts and charter schools must ensure that courses purchased from outside vendors are aligned with the Show-Me curriculum standards and comply with state requirements for teacher certification. A school district or charter school offering virtual courses or developing virtual courses or a virtual program must ensure that they comply with various standards as specified in the bill. A school district or charter school may contract with multiple providers as long as the providers meet the criteria for virtual courses or virtual programs under these provisions (Section 162.1250);

(21) Requires the department to recalculate the state school aid for the Riverview Gardens School District due to the district setting its levy in the capital projects fund instead of the incidental fund in calendar year 2005. The department must calculate the amount the district would have received in state aid for fiscal years 2007 - 2010 which will be divided and distributed in equal amounts in fiscal years 2010 - 2013 (Section 163.095);

(22) Establishes the Foster Care Education Bill of Rights which requires each school district to designate a staff person to act as the educational liaison for children in foster care. The liaison will facilitate proper educational placement and expedite record requests and submissions. Foster care pupils will have the right to remain enrolled in their school of origin pending resolution of school placement disputes. Districts must accept credit for work satisfactorily completed; and if a pupil under the jurisdiction of the juvenile court completes graduation requirements, the school district of residence must issue a diploma. Students must not be penalized for absences resulting from required court appearances or court-related activities. Districts are authorized to

permit access of a pupil's records to child-placement agencies within the limits of federal law. Children in foster care or children placed in a licensed residential care facility are entitled to a full six-hour school day unless the school district determines that fewer hours are needed. The Commissioner of Education will act as an ombudsman for children placed for treatment in a licensed residential facility by the Department of Social Services and will make the final determination over discrepancies regarding school day length (Sections 167.018, 167.019, and 210.1050);

(23) Adds certain children who reside in a children's hospital for more than three days to the list of children for whom a school district or special school district is responsible for making payments for services to the serving school district (Section 167.126);

(24) Establishes physical education standards for elementary schools as of the 2010-2011 school year that include moderate physical activity for an average of 150 minutes per week or 30 minutes per day. Middle school students may, at the school's discretion, participate for at least 225 minutes of physical activity per week. Elementary schools must provide at least one 20-minute recess period which may be incorporated into the lunch period. Students with disabilities must participate to the extent appropriate. Schools are allowed to meet the requirements by additional physical education instruction or other activities approved by the school district under the direction of a certificated teacher, administrator, or other school employee under the supervision of a certificated teacher or administrator. The Commissioner of Education must annually select for recognition students, schools, and school districts that are considered to have achieved improvement in fitness (Section 167.720);

(25) Establishes, at the discretion of the state board, teacher certification solely for instruction in the subject matters of banking or financial responsibility for individuals who have a bachelor's or higher degree, suitable professional experience, and a passing score for the designated exit examination. The certificate holder is exempt from the Teacher Tenure Act. If employed less than full-time, he or she must complete professional development in proportion to his or her time spent teaching in the classroom rather than the required 30 hours of training standard (Section 168.021);

(26) Makes the background check for teachers and other school personnel who have contact with students valid for one year and transferrable from one school district to another, even if there is a change in the type of certification a teacher holds (Section 168.133);

(27) Establishes the Teacher Choice Compensation Package for the St. Louis City School District to

allow for performance-based salary stipends upon the decision of a teacher. The Teacher Choice Compensation Fund is created to which the General Assembly must annually appropriate \$5 million. To be eligible for the package, a teacher must give up his or her right to a permanent appointment for the duration of his or her employment with the school district. If a teacher chooses to no longer participate in the package, he or she may not resume permanent teacher status with the district or resume the process for qualification for an indefinite contract in that district. Stipends will be offered in increments of \$5,000, up to \$15,000, but must not exceed 50% of the teacher's base salary. If funds are insufficient, the department may prorate the payments. The package will be open to every person employed as a teacher by the St. Louis City School District regardless of certification status if the other requirements are satisfied. Stipends will be prorated for part-time employees and will be forfeited for any teacher dismissed for cause. Beginning with the 2010-2011 school year, teachers may be eligible based on student scores on a value-added test instrument and evaluations by principals or other administrators, by parents, and by students. The department must develop or identify model instruments for use by school districts or a district may use or develop its own instruments under specified conditions. The department must develop the criteria for determining eligibility for stipend increments. Test scores will be given more weight than evaluations, and the level of scores required will take into account classroom demographics (Sections 168.221, 168.745, 168.747, 168.749, and 168.750);

(28) Specifies that any person hired for a noncertificated position in the St. Louis City School District after August 28, 2009, will not be eligible for tenure. Currently, noncertificated employees achieve tenure after one year of service (Section 168.251);

(29) Specifies that any equipment and educational materials necessary for supplemental educational services will not be deemed incentives for the purposes of complying with the department's rules for supplemental educational services provider certification. The department must not prohibit providers of supplemental and educational services from allowing a student to retain equipment, such as a computer, when the student successfully completes the supplemental and educational services (Section 170.400);

(30) Allows schools to make up half of the remaining school days lost or canceled due to inclement weather in excess of the first six up to a total of 10 full make-up days. School districts that adopt a school week with less than five days may schedule make-up days on Friday (Section 171.033);

(31) Authorizes a school board to enter into an agreement with the county or any municipality wholly or partially located in the school district to acquire, construct, improve, extend, repair, remodel, or finance sites, buildings, facilities, furnishings, and equipment for the district's educational purposes. Options for districts to obtain ownership of the facilities, including joint ventures, are specified (Section 177.088); and

(32) Requires the joint committee to study and prepare a report on governance issues in the Kansas City School District with its legislative recommendations to the General Assembly by December 31, 2009 (Section 1).

The provisions regarding the Missouri Senior Cadets Program, the Persistence to Graduation grants, the Volunteer and Parents Incentive Program, and the Missouri Preschool Plus Grant Program will expire six years from the effective date.

The provisions regarding the repeal of the Schools First Elementary and Secondary Education Improvement Fund become effective July 1, 2010.

The provisions regarding the additional election day in November 2009, the definition of "state adequacy target," changes to the Classroom Trust Fund, the elimination of the summer school penalty, and the repeal of the requirement for an audit of the Schools First Elementary and Secondary Education Improvement Fund contain an emergency clause and become effective July 1, 2009, or upon passage and approval, whichever occurs later.

SB 294 — CORPORATE NAME RESERVATION

Currently, the Secretary of State reserves a corporate name for an applicant's exclusive use for a 60-day period. This bill limits the total duration for which a corporate name can be reserved to 180 days.

CCS HCS SB 296 — PROFESSIONAL REGISTRATION

This bill changes the laws regarding the licensure of certain professionals by the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration; the State Legal Expense Fund; endowed care cemeteries; health care information collection; prescriptive authority for physician assistants; and marital and family therapists and adopts the Nurse Licensure Compact.

STATE LEGAL EXPENSE FUND (Section 105.711, RSMo)

Licensed or registered physicians, nurses, physician assistants, dental hygienists, or dentists providing services without compensation to students

at a summer camp are added to the list of health care providers for whom the State Legal Expense Fund is available for payment of certain claims filed against a provider.

ENDOWED CARE CEMETERIES (Sections 214.270, 214.280, 214.330, 214.385, and 214.387)

The bill:

(1) Prohibits the principal from an endowed care trust fund from being distributed except to the extent that a unitrust election is in effect with respect to the trust under the provisions of Section 469.411;

(2) Requires cemetery operators who sell prearranged burial merchandise and services to deposit a portion of the purchase price in an escrow or trust account within 60 days of receipt. These funds must be maintained in the account until delivery of the property, performance of the services, or the contract is canceled; and

(3) Requires cemetery operators, which have been paid in full for merchandise and the performance of services, to deposit 80% of the published retail price from their own funds into a trustee account. Currently, 40% of the published retail price must be deposited.

HEALTH CARE INFORMATION COLLECTION (Section 324.001)

Each board or commission established under the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration is authorized to collect and analyze information required to support workforce planning and policy development. This information must not be publicly disclosed so as to identify a specific health care provider.

DIVISION OF PROFESSIONAL REGISTRATION (Chapters 324, 334, 337, and 346)

The duties for the regulation of certain professionals are transferred from the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration to the specific governing body for the profession. The bill:

(1) Authorizes the Board of Occupational Therapy to change its licensing and renewal fee structure without the collaboration of the division and to approve or disapprove certifying entities;

(2) Repeals obsolete provisions which gave the division more authority to regulate its boards;

(3) Authorizes the Board of Chiropractic Examiners, in conjunction with the Acupuncturist Advisory Committee, to prescribe the design of all its forms and licenses;

(4) Repeals obsolete provisions regarding marital and family therapists;

(5) Authorizes, without the collaboration of the division, the Board of Examiners for Hearing Instrument Specialists to issue and renew permits, licenses, and certificates; issue licenses to applicants who are qualified to engage in the practice of fitting hearing instruments; make recommendations for the prosecution of violators of Chapter 346; make and publish rules necessary to carry out the provisions of Chapter 346; and establish licensing and renewal fees; and

(6) Repeals conflicting and obsolete provisions of law regarding the licensure of barbers and cosmetologists.

ARCHITECTS, ENGINEERS, LAND SURVEYORS, AND LANDSCAPE ARCHITECTS (Section 327.442)

The bill authorizes the Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects within the Department of Insurance, Financial Institutions and Professional Registration to conduct disciplinary hearings for licensees convicted of certain felonies and to automatically deny licenses to anyone who has had a license revoked or denied in another state. The board may establish other qualifications by which the person may be licensed.

VOLUNTEER LICENSES FOR RETIRED DENTISTS AND DENTAL HYGIENISTS (Sections 332.112 and 332.113)

The Dental Board within the Department of Insurance, Financial Institutions and Professional Registration is allowed to grant volunteer licenses to retired dentists and dental hygienists. An individual seeking a volunteer license is required to file an affidavit stating that he or she has been licensed for at least 10 years and has not allowed that license to lapse or expire for at least four years prior to his or her application for a volunteer license, is retired, his or her license was in good standing at retirement, and that he or she has passed the examination and met other requirements.

Beginning December 1, 2010, dentists and dental hygienists with volunteer licenses must renew their license every two years and must submit evidence of current certification in specified life support programs and complete certain continuing education requirements.

Dentists with volunteer licenses may only provide dental and preventative care without compensation to family members and at certain facilities. Dental hygienists with volunteer licenses may only provide dental hygiene and preventative care without compensation to family members and at certain facilities.

A dentist or dental hygienist is not required to pay any fee for a volunteer license.

PHYSICIAN ASSISTANTS

(Sections 195.070, 195.100, 334.735, and 334.747)

A physician assistant who works in a rural health clinic and receives a waiver of the minimum on-site supervision requirement and maximum distance requirement from a supervising physician does not need to receive any additional waiver as long as the clinic maintains its status as a rural health clinic and the physician assistant and supervising physician comply with federal supervision requirements. Physician assistants receiving waivers will only be required to renew their waiver every five years, when their supervising physician changes from the physician listed on their application, or when they move their primary practice location more than 10 miles from the location listed on the waiver application.

A physician assistant with a certificate of controlled substance prescriptive authority is allowed when delegated through a physician supervision agreement to prescribe Schedule III, IV, and V controlled substances. Supervising physicians retain the right to limit specific drugs or a drug category that a physician assistant may prescribe. Physician assistants are prohibited from prescribing controlled substances to themselves or family members and are limited to prescribing a five-day supply of Schedule III drugs without a refill. Physician assistants who are authorized to prescribe must register with the federal Drug Enforcement Administration and the state Bureau of Narcotics and Dangerous Drugs. Pharmacists are required to list the name of the physician assistant and the supervising physician on the prescription label.

NURSE LICENSURE COMPACT

(Sections 335.300 - 335.355)

The bill adopts the Nurse Licensure Compact which allows licensed registered nurses and licensed practical/vocational nurses to practice in any state which adopts the compact. All states wishing to participate must adopt the compact's articles of authorization.

The compact is designed to facilitate the regulation of nurses, does not relieve employers from complying with state laws, and does not supersede existing state labor laws.

PHARMACIES AND PHARMACISTS (Sections

338.010, 338.013, 338.057, 338.220, and 338.337)

The bill:

(1) Expands the definition of "practice of pharmacy" to include the compounding, dispensing, labeling, and administration of drugs and devices for pneumonia, shingles, and meningitis vaccines by a written protocol authorized by a physician;

(2) Removes the provision of the law which authorizes an applicant for a pharmacy technician license to practice for a period of up to 90 days prior to the issuance of his or her certificate of registration;

(3) Voids a pharmacy technician certificate of registration 30 days after the expiration date;

(4) Allows licensed pharmacists to perform certain nondispensing activities and administer drugs and vaccines by protocol, as permitted by law, outside of a pharmacy without a pharmacy permit;

(5) Specifies that, under certain conditions, an out-of-state wholesale drug distributor that is a drug manufacturer which produces and distributes from a facility inspected and approved by the federal Food and Drug Administration and is licensed by the state in which the facility is located will not be required to be licensed but must register its business name and address with the Board of Pharmacy within the Department of Insurance, Financial Institutions and Professional Registration and pay a filing fee as established by the department. This also applies to a wholesale drug distributor located in a foreign country if it is authorized and in good standing to operate as a drug manufacturer within its jurisdiction; and

(6) Repeals the provisions which require the board to publish a list of drugs which are not allowed to be substituted.

MARITAL AND FAMILY THERAPISTS (Section 376.811)

Insurance companies, health services corporations, and health maintenance organizations are required, subject to contractual provisions, to provide coverage for mental health care benefits by licensed marital and family therapists for up to two visits a year.

TEETH WHITENING SERVICES (Section 1)

The bill specifies that any person providing teeth whitening services to another person by the use of products not readily available to the public through over-the-counter purchase will be deemed to be engaging in the practice of dentistry. Application of whitening formulations may be done by licensed dental hygienists and registered dental assistants, but only under the appropriate level of supervision of a licensed dentist. Any person who takes dental impressions or performs any part of the teeth whitening process without being under the appropriate level of supervision of a licensed dentist will be deemed to be engaging in the practice of dentistry.

CCS HCS SS SB 307 — HEALTH CARE PROVIDER ASSESSMENTS

This bill establishes health care provider assessments for certain health care providers.

AMBULANCE SERVICE REIMBURSEMENT ALLOWANCE TAX (Sections 190.800 - 190.839, RSMo, and Section 1)

The bill authorizes an ambulance service reimbursement allowance tax for ground ambulance services. Each ambulance service, except state-owned and -operated ambulances, will be required to pay a tax based on a formula established by the Department of Social Services, not to exceed 6% per annum of its gross receipts. Each ambulance service must keep the necessary records to determine the amount of its reimbursement allowance tax and submit that information to the department by October 1 of each year.

The department director is required to annually determine and notify each ambulance service by October 1 of the amount of its reimbursement allowance tax due. If requested by the ambulance service, the department is authorized to offset the federal reimbursement allowance tax owed against any MO HealthNet Program payment due to the ambulance service.

Each ambulance service reimbursement allowance tax determination is final, unless the ambulance service files a protest with the department director within 30 days of receipt of the written notice specifying the grounds on which the protest is based. If a timely protest is filed, the department director must reconsider the determination and grant a hearing within 45 days if one is requested. The department director's final decision, which must be made within 45 days after the hearing, may be appealed to the Administrative Hearing Commission.

The Ambulance Service Reimbursement Allowance Fund is created to provide payment to ambulance services. All investment earnings of the fund must be credited to it.

The ambulance service reimbursement allowance tax period will be from October 1 to September 30. The department is required to annually notify each ambulance service on September 30 of the balance due. If an ambulance service fails to pay its reimbursement allowance tax within 30 days of the notice, the tax will be considered delinquent and the department may proceed with a lien against the ambulance service's property; deny, suspend, or revoke its license; and cancel or refuse to issue, extend, or reinstate its MO HealthNet participation agreement.

The provisions regarding the reimbursement allowance tax will apply only so long as the revenues generated by the tax are eligible for the federal government's share of Missouri's expenditures under the MO HealthNet Program. No rules implementing these provisions may be filed with the Secretary of State without first being provided 72 hours in advance to the interested parties who have registered with the department director.

Currently, ambulance reimbursement under the MO HealthNet Program is made through a base fee, which includes the first five miles of transport and mileage for the remainder of the transport. The bill requires reimbursement to be made based on mileage calculations from the point of pick up to the destination.

HOSPITAL DISTRICT SALES TAXES (Section 205.202)

Hospital districts in certain counties, including Ripley County, are authorized, upon voter approval, to abolish the hospital district property tax and impose a retail sales tax of up to 1% for funding the hospital district. Moneys collected from the tax will be deposited into the newly created Hospital District Sales Tax Fund less 1% which is to be retained and deposited into the General Revenue Fund by the Director of the Department of Revenue for the cost of collection.

MENTAL HEALTH PROVIDER CERTIFICATION FEE (Section 633.402)

Beginning July 1, 2009, certain mental health providers will be subject to a certification fee. Providers that will be subject to the fee include publicly and privately operated programs that have been certified to meet the Department of Mental Health's certification standards for providing residential habilitation, individualized supported living, or day habilitation services to developmentally disabled individuals. The fee will be based on a formula established by the department based on the reasonable costs incurred by the department for its certification programs of health benefit services providers and will not be in effect until the department receives the necessary federal approvals to assure that the collection of the fee will not adversely affect the receipt of specified federal medical assistance under the federal Social Security Act. The fee will be determined on an annual basis and prorated monthly by the department director and paid to the Director of the Department of Revenue. As an alternative to paying the fee, the provider may request the Director of the Department of Social Services to offset from the amount of any payment to the provider the amount of the fee payment owed for any month. Every provider that is subject to the fee must annually submit an

acknowledgment of certification for the purpose of paying its certification fee.

The Home and Community-based Developmental Disabilities Waiver Reimbursement Allowance Fund is created into which fee payments will be deposited. All investment earnings of the fund must be credited to it.

Upon receipt of notification from the Director of the Department of Mental Health of a provider's delinquency in paying the required fees, the Director of the Department of Social Services must withhold the estimated fee amount from any state payment due to the provider and remit it to the Director of the Department of Revenue. If a provider objects to the estimate or any other decision of the Department of Mental Health under the provisions of this section, a hearing may be requested. A provider will be offered 30 days to provide evidence of the correct amount due. The Director of the Department of Mental Health is required to issue a final decision within 45 days of the completed hearing. An appeal regarding the assessment must be to the Cole County circuit court or the circuit court in the county in which the provider is located.

IN-HOME SERVICES GROSS RECEIPTS TAX (Sections 660.425 - 660.465)

The bill requires each MO HealthNet in-home services provider to pay an in-home services gross receipts tax based on a formula established by the Department of Social Services, not to exceed 6.5% of its gross receipts. "In-home services" are defined as homemaker services, personal care services, chore services, respite services, consumer-directed services, and services provided in the individual's home and under a plan of care created by a physician which are necessary to keep a child out of a hospital. "In-home services provider" is defined as any provider or vendor as specified under Section 208.900 of compensated in-home services under Chapter 208 and under a provider agreement or contracted with the departments of Social Services or Health and Senior Services.

Each in-home services provider who is subject to the provisions of the bill is required to keep the necessary records to determine the total payments received for providing in-home services and report the information to the Department of Social Services. The Department of Health and Senior Services must provide the Department of Social Services with a list of all in-home services providers and vendors covered under these provisions.

The Department of Social Services is required to determine and notify each provider of the amount of tax due. The tax due may be adjusted quarterly on a prospective basis or more frequently for certain providers if the department identifies the need. If

requested by the provider, the department may offset the tax owed against any MO HealthNet Program payment due the provider.

The In-home Services Gross Receipts Tax Fund is created to provide payment for in-home services. All investment earnings of the fund must be credited to it.

For an in-home services provider with a tax due of more than 90 days, the Department of Social Services is required to send notification of the tax due. If a provider fails to pay its tax within 30 days of the notice, the tax is considered delinquent and the department may proceed with a lien against the provider's property; fail to renew his or her provider contract or provider agreement; and cancel or refuse to issue, extend, or reinstate his or her MO HealthNet provider agreement.

The provisions regarding the in-home services gross receipts tax will be effective upon authorization by the federal Centers for Medicare and Medicaid Services for a gross receipts tax for in-home services or 60 days after a determination by the federal centers that their authorization is not necessary.

The provisions of the bill regarding the in-home services gross receipts tax will expire September 1, 2011, or sooner under certain specified conditions.

The provisions regarding the ambulance service reimbursement allowance tax and the mental health provider certification fee will expire September 30, 2011.

The bill contains an emergency clause for the provisions regarding the mental health provider certification fee.

HCS SCS SB 313 — FEDERAL ECONOMIC STIMULUS FUNDS

This bill creates two separate funds in the state treasury to receive moneys provided under the American Recovery and Reinvestment Act of 2009, commonly known as the federal economic stimulus act. The Federal Budget Stabilization Fund will consist of moneys received from the federal act which are intended to assist with state budget stabilization, and the Federal Stimulus Fund will consist of all other moneys received under the act that are not otherwise allocable to the Federal Budget Stabilization Fund. Moneys received relating to unemployment compensation and the federal Safe Drinking Water Program are excluded from the depository requirements.

The State Treasurer is authorized to create new funds as necessary to avoid any conflict with federal law which prohibits the commingling of certain federal funds.

The bill contains an emergency clause.

HCS SCS SB 338 — CRIME VICTIMS

This bill changes the laws regarding crime victims. In its main provisions, the bill:

(1) Requires a photograph to be taken of an incarcerated individual prior to release and made available to the crime victim upon his or her request;

(2) Codifies into statute Executive Order 07-07 which transferred the administration of the Crime Victims' Compensation Fund from the Division of Workers' Compensation within the Department of Labor and Industrial Relations to the Department of Public Safety;

(3) Requires the Department of Public Safety to ensure that the compensation paid to a victim is reasonable and consistent with the limitations in state law and that any medical expense claims are medically necessary;

(4) Prohibits compensation from the fund to any victim who is injured while under electronic monitoring;

(5) Allows the Department of Public Safety to receive gifts and contributions for the benefit of crime victims which will be deposited into the fund to be used solely for compensating victims;

(6) Allows a victim to be represented by counsel or a representative designated by the victim instead of appearing in person during an offender's probation revocation or parole hearing; and

(7) Specifies that, subject to appropriations, the State Highway Patrol or its designees and eligible crime laboratories must develop and make available to appropriate medical providers upon request evidentiary collection kits at no charge. The kits will be used by the provider to perform forensic examinations for the purpose of gathering evidence of a sexual offense. The Department of Public Safety rather than the Department of Health and Senior Services must make payments to the providers to cover the reasonable charges of the forensic examination if a claim is submitted within 90 days and it meets specified criteria. The victim or the victim's guardian must consent in writing to the examination, and the report of the examination must be made on a form approved by the Attorney General with the advice of the Department of Public Safety. A minor may consent to an examination without the consent of a parent or guardian, but the appropriate medical provider must give written notice to the parent or guardian that the examination has taken place.

SCS SB 355 — ADMINISTRATIVE FEE FOR THE SALE OR LEASE OF A VEHICLE

This bill allows motor vehicle, powersport, and boat dealers to fill in blanks on standardize forms if

they don't charge for the service. They may charge an administrative fee of less than \$200 for storing and filing forms related to the sale or lease of a vehicle. The administrative fee must be charged to all retail customers and be disclosed as a separate itemized charge with a disclaimer to the customer that it is not a legally required fee. If the courts rule that administrative fees charged in compliance with this section constitute the unauthorized practice or business of law, no person who paid an administrative fee may recover the fee or damages; and no person who charged the fee will be guilty of a misdemeanor as provided in Section 484.020, RSMo.

SB 368 — TRAFFIC CONTROL SIGNALS

This bill creates an affirmative defense for any person operating a motorcycle or bicycle who enters or crosses an intersection controlled by a traffic signal against a red light if the motorcycle or bicycle has been brought to a complete stop, the traffic signal shows a red light for an unreasonable time, the traffic signal is apparently malfunctioning or has apparently failed to detect the arrival of the motorcycle, and no motor vehicle or person is approaching or is so far away that it does not constitute an immediate hazard.

SS SCS SB 376 — ENERGY AND ENERGY EFFICIENCY

This bill establishes the Missouri Energy Efficiency Investment Act and changes the laws regarding the purchase of appliances with state funds and the commissioners of the Missouri Public Service Commission.

PURCHASE OF APPLIANCES WITH STATE FUNDS

Any appliance purchased with state funds must have earned the Energy Star rating under the federally sponsored Energy Star Program. The Commissioner of the Office of Administration is allowed to exempt an appliance from the requirement if the cost of compliance is expected to exceed the projected energy cost savings.

MISSOURI PUBLIC SERVICE COMMISSION

The bill removes the requirement that commissioners of the Missouri Public Service Commission reside within a 40-mile radius of Jefferson City during their term of office.

MISSOURI ENERGY EFFICIENCY INVESTMENT ACT

The Missouri Energy Efficiency Investment Act is established which requires the Missouri Public Service Commission to allow electric corporations to

implement and recover costs related to commission-approved energy efficiency programs. In its main provisions, the bill:

(1) Specifies that it will be the policy of the state to value demand-side investments equal to traditional investments in supply and delivery infrastructure and allows recovery of all reasonable and prudent costs of delivering cost-effective demand-side programs;

(2) Requires the commission to allow electric corporations to implement commission-approved demand-side programs with energy efficiency goals. The recovery of the costs of the program will not be permitted unless the program is approved by the commission, results in energy or demand savings, and is beneficial to all customers in the customer class in which the programs are proposed;

(3) Allows the commission to reduce or exempt energy efficiency costs for low-income customers;

(4) Allows any customer using more than 2,500 kilowatts to seek an exemption from the provisions of the act if the customer has a comprehensive energy efficiency program and can demonstrate an achievement of savings at least equal to those expected from utility-provided programs;

(5) Requires the commission to provide oversight and allows it to adopt rules and procedures and to approve certain settlements and tariff provisions to ensure that electric corporations achieve the goals of the act;

(6) Requires every electric corporation to submit an annual report to the commission on its energy efficiency programs in the previous year;

(7) Requires all charges and fees associated with the energy efficiency program to be listed separately on a customer's bill;

(8) Specifies that a customer who receives any tax credit under specified sections of law related to energy efficiency will not be eligible to participate in any efficiency program offered by an electric corporation if the program offers a monetary incentive to the customer. Any customer who falsifies documentation related to an energy efficiency program will be guilty of a class A misdemeanor; and

(9) Requires the commission to develop rules for the public disclosure of all recipients of monetary incentives through any energy efficiency program offered by electric corporations under this act.

The provisions regarding the purchase of appliances with state funds will expire August 28, 2011.

SCS SB 394 — CERTAIN BUSINESS NAMES

This bill allows a person to use a historical name to refer to a building, structure, or business such as "drugstore" or "pharmacy" if he or she does not

engage in the practice of pharmacy. The Board of Pharmacy within the Department of Insurance, Financial Institutions and Professional Registration will retain the authority to prohibit persons who sell a naturopathic or homeopathic service or any herbal, nutritional, vitamin, dietary, mineral, or other supplement intended for human application, absorption, or consumption from using certain words to describe themselves or their businesses.

SB 398 — POSTING OF REAL PROPERTY

Currently, owners or lessees of real property may prohibit persons from trespassing on their property by placing purple paint marks on trees or fence posts surrounding the property. This bill allows them the option of placing a purple cap or mark on at least the top two inches of a fence post. The bottom of the cap or mark must be at least three feet but not more than five and one-half feet above the ground and the posts must not be more than 36 feet apart and be readily visible to designate the property as posted against trespass. Prior to applying the cap or mark on fence posts, owners or lessees on both sides of the fence to be marked must agree to the posting of the property.

HCS SCS SB 411 — PUBLIC EMPLOYEE RETIREMENT SYSTEMS *(Vetoed by the Governor)*

This bill changes the laws regarding certain public employee retirement systems.

MISSOURI DEVELOPMENT FINANCE BOARD EMPLOYEES

The bill allows an employee of the Missouri Development Finance Board who is hired on or after August 28, 2009, and is paid a salary or wage by the board in a position normally requiring the performance of duties of not less than 1,040 hours per year to be a state employee and to be eligible for retirement benefits in the Year 2000 Plan of the Missouri State Employees' Retirement System (MOSERS).

An employee of the board prior to August 28, 2009, may elect no later than December 31, 2009, to purchase prior credited service and transfer his or her individual account balance under the board-sponsored retirement plan to MOSERS up to the amount necessary to fund the benefit attributable to the credited service. The board must pay any additional contributions necessary for purchasing the service.

PUBLIC SCHOOL RETIREMENT SYSTEMS

The bill changes the laws regarding the Public School Retirement System of Missouri and the Public Education Employee Retirement System of Missouri. In its main provisions, the bill:

(1) Allows the boards of the retirement systems to establish and maintain an investment fund account to combine moneys from both systems for investment purposes only. The funds of each system must be accounted for separately and for all other reporting purposes;

(2) Allows a member when purchasing prior service credit who has not paid the entire cost of the service by September 30 to have the purchase price recalculated as of October 1 of the same year instead of charging interest. Currently, if a member has not paid for the service by June 30, the purchase price will be recalculated as of July 1;

(3) Allows the retirement systems to prohibit a purchase or impose additional requirements for making a purchase if necessary to comply with federal law;

(4) Specifies that, upon the death of a member who has chosen a guaranteed payment option and no designated beneficiary is living or the member's financial institution cannot accept the payment, any remaining benefits will be paid in the order of the surviving spouse, surviving children equally, surviving parents equally, or to the estate of the last person receiving benefits;

(5) Prohibits, beginning July 1, 2010, employees of any additional nonprofit educational association or organization from becoming members of the retirement systems;

(6) Allows the retirement systems, to the extent determined appropriate by the boards of trustees, to indemnify and protect any trustee or employee of the systems against liability claims arising out of his or her official capacity. No employee or trustee will be entitled to indemnification for his or her gross negligence or willful misconduct or unless written notice is given to the appropriate board within 15 days of receiving a service of process of a proceeding;

(7) Requires all suits or proceedings directly or indirectly brought against the boards, members or employees of the boards, or the systems themselves to be brought in Cole County; and

(8) Allows funds belonging to the retirement systems and certain benefits to be subject to execution, garnishment, attachment, or any other process in a proceeding instituted for spousal maintenance or child support.

CCS HCS SB 435 — SEXUALLY VIOLENT PREDATORS AND THE DIVISION OF DEVELOPMENTAL DISABILITIES

This bill authorizes the Department of Mental Health to enter into a contract agreement with one or more county jails in this state for the confinement of a person ordered to the department after a determination by a court that he or she may meet

the definition of a sexually violent predator or for the confinement of a person ordered to the department after a finding of probable cause under Section 632.489, RSMo. These individuals must be housed and managed separately from offenders in the custody of the county jail.

The Division of Developmental Disabilities within the department is allowed to contract directly with providers of targeted case management services for clients of the division in a defined region that has not established a local developmental disability services board, commonly known as a Senate Bill 40 board.

CCS HCS SB 464 — REGULATION OF CERTAIN BUSINESS ENTITIES
(*Vetoed by the Governor*)

This bill changes the laws regarding the regulation of certain business entities.

TAXATION OF INSURANCE COMPANIES
(Sections 143.441, 147.010, and 148.370, RSMo)

Currently, insurance companies which pay an annual tax on gross premium receipts are exempt from Missouri corporate income and franchise taxes. The bill specifies that insurance companies which are subject to an annual tax on gross premium receipts are exempt from Missouri corporate income and franchise taxes.

TRAILER DEALER LIABILITY INSURANCE
(Section 301.560)

Currently, a trailer dealer is required to provide a copy of a current dealer garage liability insurance policy when submitting his or her licensure application. The bill removes this requirement.

INSURANCE IDENTIFICATION CARDS
(Section 303.024)

The bill specifies that any person who knowingly or intentionally produces, manufactures, sells, or otherwise distributes a fraudulent document intended to serve as a motor vehicle insurance identification card will be guilty of a class D felony and any person who knowingly or intentionally possesses a fraudulent card will be guilty of a class B misdemeanor.

BAIL BOND AGENTS (Section 374.776)

The Department of Insurance, Financial Institutions and Professional Registration is required to study licensing rules and other policies and procedures governing the bail bond industry in Missouri during the 2009 interim of the General Assembly. The department is authorized to hold public hearings and take testimony from interested parties. If public hearings are held, notice must be given to all licensed bail bond agents. The department must submit a report of its findings to the insurance committees

of the House of Representatives and Senate by January 6, 2010.

INSURANCE PRODUCERS AND BROKERS
(Sections 375.020 and 382.400 - 384.062)

The bill changes the laws regarding insurance producers and brokers. In its main provisions, the bill:

(1) Adds entities that provide educational courses to producers to the list of programs which meet the standards for their continuing educational requirements;

(2) Changes the term “broker” to “producer” in Sections 382.400 - 382.409;

(3) Changes surplus lines license renewal requirements from annually with a \$50 fee to biennially with a \$100 fee;

(4) Requires surplus lines brokers to report quarterly to the Director of the Department of Insurance, Financial Institutions and Professional Registration the gross amount charged for surplus lines insurance and the amount of net premiums;

(5) Requires the Department of Revenue to notify the Director of the Department of Insurance, Financial Institutions and Professional Registration of the amount of all taxes, penalties, and interest collected from each surplus lines licensee;

(6) Repeals the provisions requiring the Department of Insurance, Financial Institutions and Professional Registration to annually report to the appropriate committees of the General Assembly on enforcement actions relating to health maintenance organizations, utilization review agents, and managed care health benefit plans; and

(7) Repeals the provisions regarding the reporting requirements for surplus lines insurance brokers and licensees.

AUDITED FINANCIAL REPORTS OF CERTAIN INSURERS (Sections 375.1025 - 375.1057)

The bill changes the laws regarding audited financial reports for certain insurers. In its main provisions, the bill:

(1) Exempts insurers with less than \$1 million in direct premiums written in Missouri in any calendar year and less than 1,000 policies or certificate holders nationwide at the end of the calendar year from the financial report auditing requirements. The exemption will not apply if the Director of the Department of Insurance, Financial Institutions and Professional Registration finds that an audit is necessary to carry out statutory responsibilities or if the insurer has assumed premiums under contracts or treaties of reinsurance of \$1 million or more;

(2) Exempts foreign or alien insurers from filing a management's report of internal control over

financial reporting when the insurer has filed a report in another state which has substantially similar requirements;

(3) Changes from 20 days to 10 days the deadline to request an extension of the June 1 filing date for audited financial reports;

(4) Specifies that a similar 30-day extension is granted for the filing of the management's report of internal control over financial reporting when an insurer has been granted an extension of the June 1 filing date for audit reports;

(5) Requires certain insurers to designate a group of individuals as its audit committee;

(6) Changes the content requirements for the financial report;

(7) Adds several provisions regarding the qualifications of the certified public accountant for an insurer's annual audited financial report;

(8) Specifies that an insurer can apply, in writing, to the department director for permission to file audited consolidated or combined financial statements in certain situations;

(9) Removes from the required contents of the accountant's letter a statement that the accountant has liability insurance coverage of the lesser of \$1 million or 10% of the insurer's admitted assets;

(10) Requires an accountant to have an understanding of the internal control of the insurer sufficient to plan the audit;

(11) Requires an insurer to provide the department director with a written communication of any unremediated material weaknesses in its internal control over financial reporting noted during the audit and the completed or proposed actions to correct them unless the actions have been described in the accountant's communication;

(12) Establishes the membership requirements and functions of the audit committee;

(13) Specifies that false or misleading statements to an accountant in connection with any audit, review, or required communication will be considered a level three violation under Section 374.049; and

(14) Requires, beginning January 1, 2010, certain insurers to file a management report of internal control over financial reporting and establishes the requirements for these reports.

UNCLAIMED FUNDS (Section 375.1224)

The bill specifies that withheld and unclaimed funds which have not been distributed in a liquidator's possession when he or she applies to a court for discharge will be distributed to claim holders in the order of the priority of distribution specified in Section 375.1218 when an insurer is being liquidated. Currently, these unclaimed funds are held and disposed of as unclaimed property by the Department of Economic Development.

GROUP HEALTH INSURANCE COVERAGE AFTER TERMINATION OF EMPLOYMENT (Section 376.428)

The bill requires group policies delivered or issued by an insurance company, health service corporation, or health maintenance organization to employers not covered by the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) to provide the continuation of group health insurance coverage in the same manner as provided by the COBRA law to an individual who has terminated employment or membership.

LIFE INSURANCE (Section 376.502)

Life insurance companies, doing business within the state with gross written premiums of \$300 million per year or more, are prohibited from denying or refusing to accept an application for life insurance; refusing to renew, cancelling, restricting, or terminating a life insurance policy; or charging a different rate for the same life insurance coverage based on the individual's past or future lawful travel destinations unless it is based on a specific travel destination where the denial, restriction, or rate differential is based on sound actuarial principles or is related to an actual or reasonably anticipated experience. A violation of these provisions will be considered an unfair trade practice and subject to the penalties specified in Sections 375.930 - 375.948. The provisions of this section will apply to any life insurance policy issued or renewed on or after August 28, 2009.

CAPTIVE INSURANCE COMPANIES (Sections 379.1300 - 379.1412)

The bill changes the laws regarding captive insurance companies and allows an association captive insurance company or an industrial insured captive insurance company to be organized as a reciprocal insurer. In its main provisions, the bill:

(1) Requires the subscribers' advisory committee of a reciprocal insurer to meet at least once a year;

(2) Removes the requirement that a captive insurance company hold at least 35% of its assets in Missouri or through a financial institution located in the state and approved by the Director of the Department of Insurance, Financial Institutions and Professional Registration;

(3) Requires organizers of a reciprocal insurer to petition the department director to issue a certificate finding that the proposed association will promote the general good of the state;

(4) Specifies that the captive insurance company statutes will control in cases where there is a conflict with the reciprocal insurance statutes;

(5) Requires the State Treasurer to deposit 90% of the premium taxes collected from captive

insurance companies and special purpose life reinsurance captive (SPLRC) companies into the General Revenue Fund and 10% into the Insurance Dedicated Fund, subject to a maximum of 3% of the current fiscal year's appropriation from the fund;

(6) Allows an association captive insurance company or an industrial insured captive insurance company formed as a stock or mutual corporation to be converted to or merged with and into a reciprocal insurer and specifies the requirements and procedures for the conversion or merger plan;

(7) Reduces from two to one the number of Missouri residents required to incorporate or organize a SPLRC; and

(8) Changes the way in which the assets of a SPLRC are valued.

The bill contains an emergency clause for the provisions regarding group health insurance coverage after termination of employment.

HCS SB 480 — STATE BOARDS AND COMMISSIONS

This bill renames the Second State Capitol Commission the Missouri State Capitol Commission and requires it to evaluate and approve capitol studies and improvement, expansion, renovation, and restoration projects to be paid for with funds appropriated from the Second Capitol Commission Fund which is renamed the State Capitol Commission Fund and to initiate planning efforts, subject to appropriations, for a centennial celebration of the laying of the capstone of the State Capitol. Members of the commission representing the General Assembly must be appointed by the President Pro Tem of the Senate and the Speaker of the House of Representatives.

The bill also establishes in statute the 19-member Missouri Board on Geographic Names within the Office of the Secretary of State. The board must:

(1) Receive and evaluate all proposals for changes in or additions to names of geographic features and places in Missouri to determine the most appropriate and acceptable names for use in maps and official documents of all levels of government;

(2) Make official recommendations to the United States Board on Geographic Names on behalf of the state with respect to each proposal and assist and cooperate with the federal board in matters relating to names of geographic features and places in the state;

(3) Assist in the maintenance of a Missouri geographic names database as part of the national database;

(4) Maintain a list of advisers who have special interest and knowledge in Missouri history,

geography, or culture and consult with the advisers on a regular basis;

(5) Develop and revise state priorities for geographic records projects following guidelines of the federal board; and

(6) Meet at least annually and submit an annual report to the General Assembly on its activities.

The board is allowed to apply for funds through state and federal grant programs to sponsor and publish surveys of the condition and needs of geographic records in the state and to solicit or develop proposals for the preservation of geographic records and publications.

SB 485 — REDACTION OF BANK ACCOUNT NUMBERS

This bill requires the Missouri Ethics Commission to redact bank account numbers from statements of organization before these documents are made public.

CCS SB 513 — REAL ESTATE

Currently, real estate brokers must record a lien within 90 days after the tenant takes possession of the leased property for the lien to be valid. This bill requires the broker to record the lien within 90 days after the date of occupancy or the date the rent began as specified in the lease, whichever is later.

Before entering into a purchase contract, builders of single-family dwellings or residences and multi-family dwellings of four or fewer units must offer a purchaser the option to have a fire sprinkler system installed at the purchaser's cost.

The provisions of the bill regarding the installation of a fire sprinkler system will expire December 31, 2011.

SCS SB 542 — INVESTMENTS BY THE STATE TREASURER

(Vetoed by the Governor)

This bill changes the laws regarding the State Treasurer's asset allocation plan which limits the total amount of state moneys that may be invested in any particular investment authorized by Section 15, Article IV of the Missouri Constitution. In its main provisions, the bill:

(1) Requires the plan to establish diversification limits including a restriction limiting the total amount of time deposits of state moneys, not including linked deposits, placed with any one single banking institution to no greater than 10% of all time deposits of state moneys;

(2) Requires, beginning January 1, 2010, the rate of interest payable by all banking institutions on

time deposits, other than linked deposits, to be the same as the average rate paid during the week next preceding the week in which the deposit was made for United States Treasury securities maturing and becoming payable closest to the time of termination of the deposit on the first \$7 million of state moneys deposited. The rate of interest on any deposits in excess of the \$7 million must be set at the market rate as specified in Section 30.260.6, RSMo. The \$7 million amount will decrease by \$2 million annually until January 1, 2013, then decrease by \$1 million when it reaches zero beginning January 1, 2014, and the rate of interest on all deposits must be set at the market rate. Currently, the rate of interest must be the same as the average rate paid during the week next preceding the week in which the deposit was made;

(3) Allows bonds or other obligations of certain political subdivisions to be acceptable securities for moneys deposited by the State Treasurer in approved banks or financial institutions. Currently, certain political subdivisions can only use bonds;

(4) Prohibits United States Treasury securities and United States federal agency debentures issued by Fannie Mae, Freddie Mac, Federal Home Loan Bank, or Federal Farm Credit Bank valued at market and deposited as collateral from exceeding 105% of the aggregate amount of time deposits and demand deposits. All other securities, except as noted elsewhere in Section 30.270, cannot exceed 115% of the aggregated amount of the time deposits and demand deposits;

(5) Adds eligible multitenant development enterprises, alternative energy consumers, and governmental entities as specified in Section 30.750 to those who may acquire a loan through the Linked Deposit Program;

(6) Expands the definition of “eligible job enhancement business” as it relates to the program to include when the applicant can demonstrate significant costs for equipment, capital outlay, or capital improvements associated with the physical expansion, renovation, or modernization of a facility or equipment. The maximum amount of the linked deposit cannot exceed \$50,000 per job created or retained plus the initial cost of the physical expansion, renovation, or capital outlay; and

(7) Increases the number of employees in the definition of “eligible small business” as it relates to the program from less than 25 to less than 100.

SCS SJR 5 — ELECTION OF COUNTY ASSESSORS

Upon voter approval, this proposed constitutional amendment requires all charter county assessors, except the assessor from Jackson County, to be elected to office.

SUBJECT INDEX OF 2009 TRULY AGREED TO AND FINALLY PASSED HOUSE BILLS AND SENATE BILLS

ADMINISTRATION, OFFICE OF

SS#2 SCS HCS HB 191 — Economic Development and
Taxation; Missouri Accountability Portal
SCS HB 544 — Oversight of Public Funds
CCS SS SCS HB 734 — Natural Resources
CCS SCS HB 745 — State Purchasing
CCS SCS HCS HB 1075 — Unemployment Compensation
SS SCS SB 376 — Energy and Energy Efficiency

ADMINISTRATIVE LAW

HB 116 — Crimes Against Transit Workers and Judicial
Officers

ADMINISTRATIVE RULES

SS#2 SCS HCS HB 191 — Economic Development and
Taxation; Big Government Get Off My Back Act

ADVERTISING AND SIGNS

*See also Business and Commerce; Property, Real and
Personal*

CCS SS SCS HCS HB 62 — Crime
CCS SCS HB 91 — Transportation
HCS HB 382 — Mortgage Brokers
HCS HB 620 & 671 — Bingo
CCS SS SCS HB 683 — Transportation
HB 698 — Bold Letters on Donation Receptacles

AGRICULTURE AND ANIMALS

CCS SS SCS HCS HB 62 — Crime
SCS HCS HB 250 — Use of Land
SS HCS HB 481 — Courts and Judicial Proceedings
CCS SS SCS HB 683 — Transportation
CCS SCS HB 745 — State Purchasing
SCS SB 153 — Marketing of Commodities

AGRICULTURE DEPARTMENT

CCS SS SCS HCS HB 62 — Crime
SCS SB 153 — Marketing of Commodities

AIRCRAFT AND AIRPORTS

See also Motor Vehicles; Transportation

CCS SCS HB 269 — Motor Vehicles, Boats, Motors, and
Manufactured Homes
SCS HCS HB 580 — Line of Duty Compensation Act
HB 644 — Registration and Licensing of Motor Vehicles

ALCOHOL

*See also Drunk Driving/Boating; Licenses-Liquor
and Beer*

CCS SS SCS HCS HB 62 — Crime
CCS SCS HB 91 — Transportation

SS HB 132 — Sale of Liquor

CCS SS SCS HB 683 — Transportation

HCS HB 685 — Search Warrants for Certain Traffic-related
Offenses

SB 26 — Alcohol Beverage Vaporizers

AMBULANCES AND AMBULANCE DISTRICTS

See also Emergencies

SCS HCS HB 580 — Line of Duty Compensation Act

CCS HCS SS SB 307 — Health Care Provider Assessments

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HB 1 — Board of Fund Commissioners; Issuing and
Processing Certain Bonds

CCS SS SCS HCS HB 2 — Elementary and Secondary
Education

CCS SS SCS HCS HB 3 — Higher Education

CCS SCS HCS HB 4 — Revenue; Transportation

CCS SCS HCS HB 5 — Office of Administration

CCS SCS HCS HB 6 — Agriculture; Natural Resources;
Conservation

CCS SCS HCS HB 7 — Economic Development; Insurance,
Financial Institutions, and Professional Registration;
Labor and Industrial Relations

CCS SCS HCS HB 8 — Public Safety

CCS SCS HCS HB 9 — Corrections

CCS SCS HCS HB 10 — Mental Health; Health and Senior
Services

CCS#2 SCS HCS HB 11 — Social Services

CCS SCS HCS HB 12 — Statewide Elected Officials;
Judiciary; Public Defender; General Assembly

CCS SCS HB 13 — Real Property Leases and Related
Services

SCS HCS HB 14 — Supplemental Operating Appropriations

HB 15 — Supplemental Federal Stimulus

SCS HCS HB 17 — Capital Improvements Reappropriations

SCS HCS HB 21 — Federal Budget Stimulus

SS SCS HCS HB 22 — Capital Improvements Federal
Stabilization

HCS HB 299 — Missouri Arts Council Appropriation Limit

HCS SCS SB 313 — Federal Economic Stimulus Funds

ARCHITECTS

CCS HCS SB 296 — Professional Registration

ARTS AND HUMANITIES

*See also Entertainment, Sports, and Amusements;
Historic Preservation*

HCS HB 299 — Missouri Arts Council Appropriation Limit

ATHLETICS. *See Entertainment, Sports, and Amusements*

ATTORNEY GENERAL, STATE

- CCS SS SCS HCS HB 62 — Crime
- SCS HB 83 — Travel Clubs
- SS SCS HCS HB 205 — Fire Safety Standard and Firefighter Protection Act
- SCS HB 239 — Management of Trusts and Funds
- HCS SS SCS SB 1 — Preneed Funeral Contracts
- SCS SB 216 — Debt Settlement Providers
- HCS SCS SB 338 — Crime Victims

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- SCS SB 37 — State Public Defender System
- SCS SB 355 — Administrative Fee for the Sale or Lease of a Vehicle

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- SS#2 SCS HCS HB 191 — Economic Development and Taxation; Tax Increment Financing Reporting
- SS HCS HB 381 — Fee Office Contracts

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- HCS HB 525 — Autism
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BANKS AND FINANCIAL INSTITUTIONS

See also Credit and Bankruptcy; Credit Unions; Savings and Loan

- SCS HB 239 — Management of Trusts and Funds
- HCS HB 273 — Documentation for Disbursements on Certain Estates
- HCS HB 883 — Investments by the State Treasurer
- HCS HB 914 — Director of the Division of Finance
- HCS SS SCS SB 1 — Preneed Funeral Contracts
- HCS SB 235 — Lending Institutions
- SCS SB 243 — Lending Institution Services
- SB 277 — Irrevocable Life Insurance Trusts
- SB 485 — Redaction of Bank Account Numbers
- SCS SB 542 — Investments by the State Treasurer

BINGO

See also Gambling

- HCS HB 620 & 671 — Bingo

BOARDS, COMMISSIONS, COMMITTEES, COUNCILS

- CCS SS SCS HCS HB 62 — Crime
- HCS HB 124 — Joint Committee on Terrorism, Bioterrorism, and Homeland Security
- SS#2 SCS HCS HB 191 — Taxation
- SCS HCS HB 237 & HB 238 & HB 482 — Courts
- SCS HCS HB 272 — Alzheimer's State Plan Task Force
- CCS SCS HCS HB 427 — Members of the Military, Veterans, and Their Families
- SS HCS HB 481 — Courts and Judicial Proceedings
- HCS HB 485 — Seismic Safety Commission
- HCS HB 525 — Autism
- SCS HB 544 — Oversight of Public Funds
- HCS HB 620 & 671 — Bingo
- SS HCS HB 661 — Natural Resource Programs

- CCS SS SCS HB 683 — Transportation
- CCS SS SCS HB 734 — Natural Resources
- HB 751 — Missouri Propane Education and Research Council
- SCS HCS HB 752 — Transportation Appointees
- HB 802 — Neighborhood Assistance Act
- HCS SS SCS SB 1 — Preneed Funeral Contracts
- SCS SB 37 — State Public Defender System
- SCS SB 140 — Criminal Nonsupport
- HCS SB 147 — Missouri Healthy Workplace Recognition Program
- SCS SB 153 — Marketing of Commodities
- HCS SCS SB 157 — Autism
- SCS SB 265 — Statewide Court Automation Fee
- HCS#2 SS SB 291 — Education
- HCS SB 480 — State Boards and Commissions
- SB 485 — Redaction of Bank Account Numbers

BOATS AND WATERCRAFT

See also Drunk Driving/Boating; Lakes, Rivers and Waterways; Motor Vehicles

- SS#2 SCS HB 103 — Public Safety
- CCS SCS HB 269 — Motor Vehicles, Boats, Motors, and Manufactured Homes
- HB 644 — Registration and Licensing of Motor Vehicles
- CCS SS SCS HB 683 — Transportation

BONDS - BAIL

- CCS SS SCS HCS HB 577 — Regulation of Insurance
- CCS HCS SB 464 — Regulation of Certain Business Entities

BONDS - GENERAL OBLIGATION AND REVENUE

- SS#2 SCS HCS HB 191 — Economic Development and Taxation; Build America and Recovery Zone Bonds
- HCS HB 883 — Investments by the State Treasurer
- CCS HCS SCS SB 242 — Sewer Districts
- HCS#2 SS SB 291 — Education
- SCS SB 542 — Investments by the State Treasurer

BONDS - SURETY

See also Liability

- SS SCS HCS HB 359 — Design-build Highway Project Contracts
- HCS HB 382 — Mortgage Brokers
- CCS SS SCS HB 395 — Long-term Care Facilities

BUSES

See also Motor Carriers

- HB 116 — Crimes Against Transit Workers and Judicial Officers

BUSINESS AND COMMERCE

See also Advertising and Signs; Consumer Protection; Merchandising Practices

- SCS HB 83 — Travel Clubs
- SS HB 132 — Sale of Liquor
- SS#2 SCS HCS HB 191 — Economic Development and Taxation
- HCS HB 251 — Sale of Milk
- HCS HB 306 — Lake Area Business District Tax Collection

CCS SS SCS HCS HB 390 — Unauthorized Aliens and Construction Safety Programs
 HB 698 — Bold Letters on Donation Receptacles
 SCS HB 842 — Real Estate
 HCS HB 883 — Investments by the State Treasurer
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 HCS SS SCS SB 1 — Preneed Funeral Contracts
 SCS SB 153 — Marketing of Commodities
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 SCS SB 216 — Debt Settlement Providers
 SB 217 — Corporations and Limited Liability Companies
 HCS SB 235 — Sawmills and Lending Institutions
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 SCS SB 355 — Administrative Fee for the Sale or Lease of a Vehicle
 SCS SB 394 — Certain Business Names
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SCS HCS HB 111 — Unclaimed Veterans' Remains
 CCS SCS HCS HB 427 — Members of the Military, Veterans, and Their Families
 HCS SS SCS SB 1 — Preneed Funeral Contracts
 CCS HCS SB 296 — Professional Registration

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 SCS HB 239 — Management of Trusts and Funds
 HCS HB 620 & 671 — Bingo
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 CCS SS SCS HB 683 — Transportation
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See also Courts, Juvenile; Family Law; Guardians
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 CCS#2 SS HCS HB 154 — Child Placement, Foster Care, and Standby Guardians
 CCS SCS HCS HB 427 — Members of the Military, Veterans, and Their Families
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 HCS HB 525 — Autism
 SCS HB 716 — Newborn Screening Tests and Premature Infants
 HCS HB 863 — Child Witness Protection Act
 SCS HB 922 — Allergy Prevention and Response in Schools
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 SCS SB 140 — Criminal Nonsupport
 SS SCS SB 141 — Paternity Determinations
 HCS SCS SB 157 — Autism
 HCS#2 SS SB 291 — Education

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 CCS HCS SB 296 — Professional Registration

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See also Political Subdivisions
 CCS SS SCS HCS HB 62 — Crime
 HCS HB 89 — Yielding the Right-of-way
 SS#2 SCS HCS HB 191 — Economic Development and Taxation
 SCS HCS HB 237 & HB 238 & HB 482 — Courts
 SS HCS HB 481 — Courts and Judicial Proceedings
 SS HCS HB 661 — Natural Resource Programs
 CCS SS SCS HB 683 — Transportation
 HB 859 — Retention of Building or Technical Codes
 SB 232 — Education Requirements for Public Employees
 CCS HCS SCS SB 242 — Sewer Districts

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See also Evidence
 CCS SS SCS HCS HB 62 — Crime
 SS HCS HB 481 — Courts and Judicial Proceedings

CIVIL RIGHTS

See also Minorities
 SS HCS HB 481 — Courts and Judicial Proceedings

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See also Interstate Cooperation
 CCS SS SCS HCS HB 577 — Regulation of Insurance
 CCS HCS SB 296 — Professional Registration; Nurse Licensure Compact

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 SCS SJR 5 — Election of County Assessors

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 CCS SS SCS HCS HB 390 — Unauthorized Aliens and Construction Safety Programs
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See also Business and Commerce; Credit and Bankruptcy
 SCS HB 83 — Travel Clubs
 SS HB 132 — Sale of Liquor
 HCS HB 382 — Mortgage Brokers
 CCS SS SCS HCS HB 577 — Regulation of Insurance
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 SCS HCS HB 836 & 753 — Foreclosure Sale Notice to Tenants
 SB 126 — Life Insurance
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 SCS SB 394 — Certain Business Names

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SCS HB 83 — Travel Clubs
 SS#2 SCS HB 103 — Public Safety
 SS SCS HCS HB 359 — Design-build Highway Project
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 SS HCS HB 381 — Fee Office Contracts
 HCS HB 382 — Mortgage Brokers
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 SCS HB 544 — Oversight of Public Funds
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 HCS SS SCS SB 1 — Preneed Funeral Contracts
 CCS#2 HCS SCS SB 44 — Private Jails
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 CCS HCS SB 435 — Sexually Violent Predators and the
 Division of Developmental Disabilities
 CCS SB 513 — Real Estate

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*See also Mortgages and Deeds; Property, Real and
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 HB 537 — Conveyance in St. Louis City
 HCS HB 895 — Conveyance in Macon County
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 HCS SCS SB 15 — Conveyances of State Property
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SS#2 SCS HCS HB 191 — Taxation
 SCS HB 283 — Nonprofit Sewer Companies
 SS HCS HB 481 — Courts and Judicial Proceedings
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 SB 294 — Corporate Name Reservation

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 HB 747 — Sexual Contact with a Prisoner
 CCS#2 HCS SCS SB 44 — Private Jails

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See also Political Subdivisions

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 HB 282 — Conveyance in Jasper County

SS HCS HB 481 — Courts and Judicial Proceedings
 SS HCS HB 661 — Natural Resource Programs
 HB 826 — Sexually Violent Predators
 HB 859 — Retention of Building or Technical Codes
 HCS HB 895 — Conveyance in Macon County
 HB 918 — Conveyance in Boone County
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 CCS HCS SB 435 — Sexually Violent Predators and the
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 HCS HB 685 — Search Warrants for Certain Traffic-related
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 CCS HCS SCS SB 47 — Law Enforcement Personnel
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See also Judges; Juries

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 HB 116 — Crimes Against Transit Workers and Judicial
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 SCS HCS HB 177 & HCS HB 622 — Court Records for
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 SCS HCS HB 237 & HB 238 & HB 482 — Courts
 SCS HB 239 — Management of Trusts and Funds
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 HCS HB 863 — Child Witness Protection Act
 HCS HB 914 — Director of the Division of Finance
 SCS SB 37 — State Public Defender System
 SCS SB 140 — Criminal Nonsupport
 SS SCS SB 141 — Paternity Determinations
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COURTS, JUVENILE

See also Children and Minors

CCS SS SCS HCS HB 62 — Crime
 HB 116 — Crimes Against Transit Workers and Judicial
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 CCS#2 SS HCS HB 154 — Child Placement, Foster Care,
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*See also Banks and Financial Institutions; Consumer
 Protection*

SS#2 SCS HCS HB 191 — Economic Development and
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HCS SB 235 — Lending Institutions

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See also Sexual Offenses; Victims of Crime

CCS SS SCS HCS HB 62 — Crime

SS#2 SCS HB 103 — Public Safety

HB 116 — Crimes Against Transit Workers and Judicial Officers

SS HCS HB 481 — Courts and Judicial Proceedings

CCS SS SCS HCS HB 577 — Regulation of Insurance

CCS SS SCS HB 683 — Transportation

HCS SS SCS SB 1 — Prenatal Funeral Contracts

HCS SCS SB 36 & 112 — Forcible Sexual Offenses Against Children

CCS#2 HCS SCS SB 44 — Private Jails

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SCS HCS HB 236 — Students with Disabilities

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CCS SS SCS HB 395 — Long-term Care Facilities

CCS SCS HCS HB 397 & HCS HB 947 — Police Retirement Systems

SS HCS HB 481 — Courts and Judicial Proceedings

HCS HB 525 — Autism

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SS HCS HB 740 — Federal Reimbursement Allowances

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CCS SS SCS HCS HB 62 — Crime

HB 116 — Crimes Against Transit Workers and Judicial Officers

SB 26 — Alcohol Beverage Vaporizers

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See also Alcohol; Boats and Watercraft; Licenses-Liquor and Beer

CCS SS SCS HCS HB 62 — Crime

CCS SCS HB 91 — Transportation

CCS SS SCS HB 683 — Transportation

HCS HB 685 — Search Warrants for Certain Traffic-related Offenses

ECONOMIC DEVELOPMENT

SS#2 SCS HCS HB 191 — Economic Development and Taxation

HB 802 — Neighborhood Assistance Act

HCS HB 883 — Investments by the State Treasurer

HCS SCS SB 313 — Federal Economic Stimulus Funds

HCS SCS SB 411 — Public Employee Retirement Systems; Missouri Development Finance Board Employees

SCS SB 542 — Investments by the State Treasurer

ECONOMIC DEVELOPMENT DEPARTMENT

SS#2 SCS HCS HB 191 — Economic Development and Taxation

EDUCATION, ELEMENTARY AND SECONDARY

See also Teachers

CCS#2 SS HCS HB 154 — Child Placement, Foster Care, and Standby Guardians

SCS HCS HB 236 — Students with Disabilities

HB 289 — Special Education Due Process

HB 373 — General Educational Development Revolving Fund

SCS HB 506 — Math, Engineering, Technology and Science Week

HB 682 — School Make-up Days Due to Inclement Weather

SCS HB 922 — Allergy Prevention and Response in Schools

SB 232 — Education Requirements for Public Employees

HCS#2 SS SB 291 — Education

EDUCATION, HIGHER

CCS SS SCS HCS HB 62 — Crime

SS#2 SCS HB 103 — Public Safety

SS#2 SCS HCS HB 191 — Economic Development and Taxation; Records Submitted to Institutions

SCS HB 239 — Management of Trusts and Funds

SS SCS HCS HB 247 — Nurses and Nursing Students

CCS SS SCS HCS HB 390 — Unauthorized Aliens

CCS SCS HCS HB 427 — Members of the Military, Veterans, and Their Families

SS HCS HB 481 — Courts and Judicial Proceedings

HB 490 — A+ Schools Program
 CCS SS SCS HB 683 — Transportation
 HCS SCS SB 152 — Nursing Student Loan Program
 HCS#2 SS SB 291 — Education

ELDERLY

See also Guardians

CCS SS SCS HCS HB 62 — Crime
 SCS HCS HB 272 — Alzheimer's State Plan Task Force
 CCS SS SCS HB 395 — Long-term Care Facilities
 SS HCS HB 740 — Federal Reimbursement Allowances

ELECTIONS

SS HCS HB 481 — Courts and Judicial Proceedings
 HB 709 — Voter Identification Cards
 SCS SJR 5 — Election of County Assessors

ELEMENTARY AND SECONDARY EDUCATION

DEPARTMENT

HB 373 — General Educational Development Revolving Fund
 HB 490 — A+ Schools Program
 HCS#2 SS SB 291 — Education

EMERGENCIES

See also Ambulances and Ambulance Districts

SS#2 SCS HB 103 — Public Safety
 SCS HB 171 — Lease Payments for Destroyed Residences
 after Disasters
 SCS HCS HB 580 — Line of Duty Compensation Act

EMPLOYEES - EMPLOYERS

SS HB 132 — Sale of Liquor
 HB 218 — Missouri Health Insurance Pool
 CCS SS SCS HCS HB 390 — Unauthorized Aliens and
 Construction Safety Programs
 CCS SS SCS HB 395 — Long-term Care Facilities
 SS HCS HB 481 — Courts and Judicial Proceedings
 SCS HCS HB 580 — Line of Duty Compensation Act
 CCS SCS HCS HB 1075 — Unemployment Compensation
 HCS SB 147 — Missouri Healthy Workplace Recognition
 Program
 SB 232 — Education Requirements for Public Employees

EMPLOYMENT SECURITY

CCS SCS HCS HB 1075 — Unemployment Compensation

ENERGY

*See also Mining and Oil and Gas Production; Motor
 Fuel; Utilities*

SS HCS HB 661 — Natural Resource Programs
 CCS SS SCS HB 734 — Natural Resources
 CCS SCS HB 745 — State Purchasing
 HB 751 — Missouri Propane Education and Research
 Council
 HCS HB 883 — Investments by the State Treasurer
 SS SCS SB 376 — Energy and Energy Efficiency
 SCS SB 542 — Investments by the State Treasurer

ENGINEERS

CCS HCS SB 296 — Professional Registration

ENTERTAINMENT, SPORTS, AND AMUSEMENTS

See also Arts and Humanities; Parks and Recreation

CCS SS SCS HCS HB 62 — Crime
 SS HB 132 — Sale of Liquor

ENVIRONMENTAL PROTECTION

SS#2 SCS HCS HB 191 — Economic Development
 and Taxation; Brownfield Projects
 SS HCS HB 661 — Natural Resource Programs
 CCS SS SCS HB 734 — Natural Resources

ESTATES, WILLS, AND TRUSTS

SCS HB 239 — Management of Trusts and Funds
 HCS HB 273 — Documentation for Disbursements on Certain
 Estates
 SS HCS HB 481 — Courts and Judicial Proceedings
 HCS SS SCS SB 1 — Preneed Funeral Contracts
 SB 277 — Irrevocable Life Insurance Trusts
 CCS HCS SB 296 — Professional Registration

ETHICS

SB 485 — Redaction of Bank Account Numbers

EVIDENCE

*See also Civil Procedure; Criminal Procedure; Search
 and Seizure*

CCS SS SCS HCS HB 62 — Crime
 SS HCS HB 152 — DNA Profiling System
 SS HCS HB 481 — Courts and Judicial Proceedings
 HCS HB 685 — Search Warrants for Certain Traffic-related
 Offenses
 HCS HB 863 — Child Witness Protection Act
 SCS SB 202 — Operation of a Motorcycle
 HCS SCS SB 338 — Crime Victims

EXCAVATION

See also Mining and Oil and Gas Production

CCS HCS HB 246 — Surface Mining and Gravel Excavation

FAMILY LAW

See also Children and Minors; Domestic Relations

HB 116 — Crimes Against Transit Workers and Judicial
 Officers
 CCS#2 SS HCS HB 154 — Child Placement, Foster Care,
 and Standby Guardians
 CCS SCS HCS HB 265 — Public School Retirement Systems
 CCS SCS HCS HB 427 — Members of the Military, Veterans,
 and Their Families
 SS HCS HB 481 — Courts and Judicial Proceedings
 HCS HB 863 — Child Witness Protection Act
 SCS SB 140 — Criminal Nonsupport
 SS SCS SB 141 — Paternity Determinations

FEDERAL - STATE RELATIONS

HCS HB 361 — Federal Real ID Act of 2005
 CCS SS SCS HCS HB 390 — Unauthorized Aliens
 SCS HB 544 — Oversight of Public Funds
 SS HCS HB 661 — Natural Resource Programs
 SS HCS HB 740 — Federal Reimbursement Allowances
 CCS SCS HCS HB 1075 — Unemployment Compensation

HCS SCS SB 313 — Federal Economic Stimulus Funds
HCS SB 480 — State Boards and Commissions

FEES

SS#2 SCS HCS HB 191 — Economic Development and
Taxation
SS SCS HCS HB 205 — Fire Safety Standard and Firefighter
Protection Act
SCS HCS HB 237 & HB 238 & HB 482 — Courts
SS HCS HB 381 — Fee Office Contracts
SS HCS HB 481 — Courts and Judicial Proceedings
HCS HB 620 & 671 — Bingo
HB 644 — Registration and Licensing of Motor Vehicles
SS HCS HB 661 — Natural Resource Programs
CCS SS SCS HB 683 — Transportation
CCS SS SCS HB 734 — Natural Resources
SCS SB 265 — Statewide Court Automation Fee
CCS HCS SS SB 307 — Health Care Provider Assessments
SCS SB 355 — Administrative Fee for the Sale or Lease of a
Vehicle
CCS HCS SB 464 — Regulation of Certain Business Entities

FENCES AND ENCLOSURES

See also Property, real and Personal

CCS SS SCS HCS HB 62 — Crime
SS HCS HB 481 — Courts and Judicial Proceedings
SB 398 — Posting of Real Property

FIRE PROTECTION

SS#2 SCS HB 103 — Public Safety
SS SCS HCS HB 205 — Fire Safety Standard and Firefighter
Protection Act
CCS SS SCS HB 395 — Long-term Care Facilities
SS HCS HB 481 — Courts and Judicial Proceedings
SCS HCS HB 580 — Line of Duty Compensation Act
HB 593 — Police and Firemen's Pension System Investments
HB 859 — Retention of Building or Technical Codes
SB 161 — Police and Firemen's Pension System Investments
SB 232 — Education Requirements for Public Employees
CCS SB 513 — Real Estate

FIREARMS AND FIREWORKS

See also Weapons

CCS SS SCS HCS HB 62 — Crime
SS HCS HB 481 — Courts and Judicial Proceedings

FUNERALS AND FUNERAL DIRECTORS

SCS HCS HB 111 — Unclaimed Veterans' Remains
CCS SCS HCS HB 427 — Members of the Military, Veterans,
and Their Families
HCS SS SCS SB 1 — Preneed Funeral Contracts

GAMBLING

See also Bingo

HCS HB 620 & 671 — Bingo

GENERAL ASSEMBLY

HCS HB 124 — Joint Committee on Terrorism, Bioterrorism,
and Homeland Security
SCS HB 544 — Oversight of Public Funds

CCS SS SCS HB 683 — Transportation
CCS SS SCS HB 734 — Natural Resources
SCS HCS HB 752 — Transportation Appointees

GOVERNOR AND LT. GOVERNOR

HCS SB 147 — Missouri Healthy Workplace Recognition
Program

GUARDIANS

See also Children and Minors; Disabilities; Elderly

CCS#2 SS HCS HB 154 — Child Placement, Foster Care,
and Standby Guardians
CCS SS SCS HB 395 — Long-term Care Facilities
SS HCS HB 481 — Courts and Judicial Proceedings
HCS HB 863 — Child Witness Protection Act

HEALTH CARE

*See also Insurance-Medical; Medical Procedures and
Personnel*

SS HCS HB 740 — Federal Reimbursement Allowances
CCS HCS SS SB 307 — Health Care Provider Assessments

HEALTH CARE PROFESSIONALS

*See also Licenses-Professional; see also individual
professions*

CCS SS SCS HB 395 — Long-term Care Facilities
SCS HB 716 — Newborn Screening Tests and Premature
Infants
HB 811 — Dietitians
CCS HCS SB 296 — Professional Registration

HEALTH DEPARTMENT

CCS SS SCS HCS HB 62 — Crime
SCS HCS HB 272 — Alzheimer's State Plan Task Force
CCS SS SCS HB 395 — Long-term Care Facilities
CCS SS SCS HCS HB 577 — Regulation of Insurance
SCS HB 716 — Newborn Screening Tests and Premature
Infants
SS HCS HB 740 — Federal Reimbursement Allowances
SS SCS SB 141 — Paternity Determinations
CCS HCS SS SB 307 — Health Care Provider Assessments
HCS SCS SB 338 — Crime Victims

HEALTH, PUBLIC

SS#2 SCS HB 103 — Public Safety
SCS HCS HB 272 — Alzheimer's State Plan Task Force
CCS SS SCS HB 395 — Long-term Care Facilities
SCS HB 716 — Newborn Screening Tests and Premature
Infants
SCS HB 922 — Allergy Prevention and Response in Schools
HCS SB 147 — Missouri Healthy Workplace Recognition
Program

HIGHWAY PATROL

*See also Law Enforcement Officers and Agencies;
Water Patrol*

CCS SS SCS HCS HB 62 — Crime
SCS HCS HB 93 & 216 — Tractor Parades
SS HCS HB 152 — DNA Profiling System
CCS SS SCS HB 683 — Transportation

HCS HB 685 — Search Warrants for Certain Traffic-related Offenses
 CCS#2 HCS SCS SB 44 — Private Jails
 CCS HCS SCS SB 47 — Law Enforcement Personnel
 HCS SCS SB 338 — Crime Victims

HIGHWAYS AND ROADS

CCS SS SCS HCS HB 62 — Crime
 HCS HB 89 — Yielding the Right-of-way
 CCS SCS HB 91 — Transportation
 SCS HCS HB 93 & 216 — Tractor Parades
 SS SCS HCS HB 359 — Design-build Highway Project
 Contracts
 CCS SCS HCS HB 427 — Members of the Military, Veterans,
 and Their Families
 SS HCS HB 481 — Courts and Judicial Proceedings
 CCS SS SCS HB 683 — Transportation
 HCS HB 685 — Search Warrants for Certain Traffic-related Offenses
 SCS HB 867 — Memorial Highway
 SCS SB 202 — Operation of a Motorcycle

HISTORIC PRESERVATION

See also Arts and Humanities
 SS#2 SCS HCS HB 191 — Economic Development and Taxation

HOLIDAYS

CCS SCS HCS HB 427 — Members of the Military, Veterans,
 and Their Families
 SCS HB 506 — Math, Engineering, Technology and Science Week
 HB 678 — Silver Star Families of America Day

HOMELAND SECURITY

See also Immigration
 HCS HB 124 — Joint Committee on Terrorism, Bioterrorism,
 and Homeland Security

HOSPITALS

SCS HB 716 — Newborn Screening Tests and Premature Infants
 SS HCS HB 740 — Federal Reimbursement Allowances

HOUSING

See also Landlords and Tenants; Manufactured Housing
 SS#2 SCS HB 103 — Public Safety
 SCS HB 171 — Lease Payments for Destroyed Residences after Disasters
 SS#2 SCS HCS HB 191 — Economic Development and Taxation
 HB 802 — Neighborhood Assistance Act
 SCS HCS HB 836 & 753 — Foreclosure Sale Notice to Tenants
 CCS SB 513 — Real Estate

IMMIGRATION

See also Homeland Security
 HCS HB 361 — Federal Real ID Act of 2005
 CCS SS SCS HCS HB 390 — Unauthorized Aliens

INSURANCE - AUTOMOBILE

CCS SS SCS HCS HB 62 — Crime
 SS HCS HB 481 — Courts and Judicial Proceedings
 CCS SS SCS HCS HB 577 — Regulation of Insurance
 SCS SB 202 — Operation of a Motorcycle
 CCS HCS SB 464 — Regulation of Certain Business Entities

INSURANCE DEPARTMENT

SS#2 SCS HB 103 — Public Safety
 SS#2 SCS HCS HB 191 — Taxation
 CCS SS SCS HCS HB 577 — Regulation of Insurance
 SCS HB 866 — Complaints Against Certain Licensed Professionals
 HCS HB 914 — Director of the Division of Finance
 HCS SS SCS SB 1 — Preneed Funeral Contracts
 CCS HCS SB 296 — Professional Registration
 CCS HCS SB 464 — Regulation of Certain Business Entities

INSURANCE - GENERAL

CCS SS SCS HCS HB 577 — Regulation of Insurance
 CCS HCS SB 464 — Regulation of Certain Business Entities

INSURANCE - LIFE

SCS HB 239 — Management of Trusts and Funds
 CCS SS SCS HCS HB 577 — Regulation of Insurance
 SB 126 — Life Insurance
 SB 277 — Irrevocable Life Insurance Trusts
 CCS HCS SB 464 — Regulation of Certain Business Entities

INSURANCE - MEDICAL

See also Health Care; Medicaid
 HB 218 — Missouri Health Insurance Pool
 HCS HB 231 — Group Health Insurance Coverage after Termination of Employment
 SCS HB 326 — Licensed Mental Health Professionals
 SS HCS HB 481 — Courts and Judicial Proceedings
 CCS SS SCS HCS HB 577 — Regulation of Insurance
 HB 919 — Group Health Insurance
 CCS HCS SB 464 — Regulation of Certain Business Entities

INTERNET, WORLD-WIDE WEB, AND E-MAIL

See also Telecommunications
 CCS SS SCS HCS HB 62 — Crime
 CCS SCS#2 HCS HB 148 — Collection of Taxes
 HCS HB 273 — Documentation for Disbursements on Certain Estates
 SS HCS HB 481 — Courts and Judicial Proceedings
 HCS HB 485 — Seismic Safety Commission
 SCS HB 544 — Oversight of Public Funds
 CCS SS SCS HCS HB 577 — Regulation of Insurance
 HB 652 — Certified Mail
 CCS SS SCS HB 734 — Natural Resources

SCS SB 37 — State Public Defender System
 HCS SB 147 — Missouri Healthy Workplace Recognition Program
 HCS#2 SS SB 291 — Education

INTERSTATE COOPERATION

See also Compacts

SS HCS HB 481 — Courts and Judicial Proceedings

JACKSON COUNTY

SS HCS HB 481 — Courts and Judicial Proceedings
 SCS SJR 5 — Election of County Assessors

JUDGES

See also Courts

CCS SS SCS HCS HB 62 — Crime
 HB 116 — Crimes Against Transit Workers and Judicial Officers
 SCS HCS HB 177 & HCS HB 622 — Court Records for Sexual Offenses
 SS HCS HB 481 — Courts and Judicial Proceedings

JURIES

See also Courts

HCS HB 863 — Child Witness Protection Act

KANSAS CITY

HCS HB 89 — Yielding the Right-of-way
 SS HB 132 — Sale of Liquor
 SS SCS HCS HB 359 — Design-build Highway Project Contracts
 CCS SCS HCS HB 397 & HCS HB 947 — Police Retirement Systems
 SS HCS HB 481 — Courts and Judicial Proceedings

LAKES, RIVERS AND WATERWAYS

See also Boats and Watercraft

CCS SS SCS HCS HB 62 — Crime
 SS#2 SCS HB 103 — Public Safety
 HCS HB 306 — Lake Area Business District Tax Collection
 SCS HB 842 — Real Estate

LANDLORDS AND TENANTS

See also Housing

SCS HB 171 — Lease Payments for Destroyed Residences after Disasters
 SS HCS HB 481 — Courts and Judicial Proceedings
 SCS HCS HB 836 & 753 — Foreclosure Sale Notice to Tenants
 SCS SB 231 — Landlord-tenant Actions

LAW ENFORCEMENT OFFICERS AND AGENCIES

See also Highway Patrol; Water Patrol

CCS SS SCS HCS HB 62 — Crime
 CCS SCS HCS HB 397 & HCS HB 947 — Police Retirement Systems
 SS HCS HB 481 — Courts and Judicial Proceedings
 SCS HCS HB 580 — Line of Duty Compensation Act
 HB 593 — Police and Firemen's Pension System Investments
 SCS HCS HB 667 — Sheriff Qualifications

CCS SS SCS HB 683 — Transportation
 HCS HB 685 — Search Warrants for Certain Traffic-related Offenses
 HB 747 — Sexual Contact with a Prisoner
 CCS HCS SCS SB 47 — Law Enforcement Personnel
 SB 161 — Police and Firemen's Pension System Investments
 SB 232 — Education Requirements for Public Employees

LIABILITY

See also Bonds-Surety

SS#2 SCS HB 103 — Public Safety
 SCS HCS HB 111 — Unclaimed Veterans' Remains
 SCS HB 171 — Lease Payments for Destroyed Residences after Disasters
 SS SCS HCS HB 359 — Design-build Highway Project Contracts
 SS HCS HB 481 — Courts and Judicial Proceedings
 CCS#2 HCS SCS SB 44 — Private Jails
 SCS SB 202 — Operation of a Motorcycle
 SCS SB 216 — Debt Settlement Providers
 SCS SB 231 — Landlord-tenant Actions
 CCS HCS SB 296 — Professional Registration
 CCS HCS SB 464 — Regulation of Certain Business Entities

LICENSES - DRIVER'S

See also Motor Vehicles

HCS HB 361 — Federal Real ID Act of 2005
 CCS SS SCS HB 683 — Transportation

LICENSES - LIQUOR AND BEER

See also Alcohol; Drunk Driving/Boating

SS HB 132 — Sale of Liquor

LICENSES - MISCELLANEOUS

SS HB 132 — Sale of Liquor
 CCS SCS#2 HCS HB 148 — Collection of Taxes
 CCS SS SCS HCS HB 390 — Unauthorized Aliens
 HCS SS SCS SB 1 — Preneed Funeral Contracts
 HCS SB 235 — Manufactured Homes

LICENSES - MOTOR VEHICLE

See also Motor Vehicles

CCS SCS HB 269 — Motor Vehicles, Boats, Motors, and Manufactured Homes
 HCS HB 361 — Federal Real ID Act of 2005
 CCS SCS HCS HB 427 — Members of the Military, Veterans, and Their Families
 HB 644 — Registration and Licensing of Motor Vehicles
 CCS SS SCS HB 683 — Transportation

LICENSES - PROFESSIONAL

See also Health Care Professionals; see also names of individual professions

SCS HB 326 — Licensed Mental Health Professionals
 HCS HB 382 — Mortgage Brokers
 HB 811 — Dietitians
 SCS HB 866 — Complaints Against Certain Licensed Professionals
 CCS HCS SB 296 — Professional Registration

LIENS

CCS SCS HB 269 — Motor Vehicles, Boats, Motors, and
Manufactured Homes
HB 644 — Registration and Licensing of Motor Vehicles
HCS SB 235 — Manufactured Homes
CCS SB 513 — Real Estate

MANUFACTURED HOUSING

See also Housing

CCS SCS HB 269 — Motor Vehicles, Boats, Motors, and
Manufactured Homes
HCS SB 235 — Manufactured Homes

MARITAL AND FAMILY THERAPISTS. *See Mental Health***MARRIAGE AND DIVORCE**

See also Domestic Relations; Family Law

SCS SB 140 — Criminal Nonsupport

MEDICAID

See also Insurance-Medical; Public Assistance

CCS SS SCS HB 395 — Long-term Care Facilities
CCS SS SCS HCS HB 577 — Regulation of Insurance
SCS HB 716 — Newborn Screening Tests and Premature
Infants
SS HCS HB 740 — Federal Reimbursement Allowances
CCS HCS SS SB 307 — Health Care Provider Assessments

MEDICAL PROCEDURES AND PERSONNEL

See also Health Care

SS#2 SCS HB 103 — Public Safety
SCS HB 716 — Newborn Screening Tests and Premature
Infants

MENTAL HEALTH

See also Psychologists

SCS HB 326 — Licensed Mental Health Professionals
SCS HB 866 — Complaints Against Certain Licensed
Professionals
CCS HCS SB 296 — Professional Registration
CCS HCS SS SB 307 — Health Care Provider Assessments

MENTAL HEALTH DEPARTMENT

SS HCS HB 481 — Courts and Judicial Proceedings
HCS HB 525 — Autism
HB 826 — Sexually Violent Predators
SCS HB 866 — Complaints Against Certain Licensed
Professionals
HCS SCS SB 157 — Autism
CCS HCS SS SB 307 — Health Care Provider Assessments
CCS HCS SB 435 — Sexually Violent Predators and the
Division of Developmental Disabilities

MERCHANDISING PRACTICES

See also Business and Commerce

SS HB 132 — Sale of Liquor
HCS HB 251 — Sale of Milk
HB 698 — Bold Letters on Donation Receptacles
HCS SS SCS SB 1 — Preneed Funeral Contracts
SCS SB 153 — Marketing of Commodities

MILITARY AFFAIRS

See also National Guard; Veterans

CCS SCS HB 91 — Transportation
CCS SCS HCS HB 427 — Members of the Military, Veterans,
and Their Families
HB 678 — Silver Star Families of America Day
CCS SS SCS HB 683 — Transportation

MINING AND OIL AND GAS PRODUCTION

See also Energy; Excavations; Motor Fuel

CCS HCS HB 246 — Surface Mining and Gravel Excavation
HB 751 — Missouri Propane Education and Research
Council

MINORITIES

See also Civil Rights

SS HCS HB 481 — Courts and Judicial Proceedings

MORTGAGES AND DEEDS

*See also Conveyances and Easements; Property, Real
and Personal*

HCS HB 382 — Mortgage Brokers
SS HCS HB 481 — Courts and Judicial Proceedings
SCS HCS HB 836 & 753 — Foreclosure Sale Notice to
Tenants

MOTELS AND HOTELS

HCS HB 306 — Lake Area Business District Tax Collection

MOTOR CARRIERS

See also Buses; Railroads

CCS SS SCS HB 683 — Transportation

MOTOR FUEL

See also Energy; Mining and Oil and Gas Production

CCS SS SCS HB 683 — Transportation

MOTOR VEHICLES

*See also Aircraft and Airports; Boats and Watercraft;
Insurance-Automobile; Licenses-Drivers; Licenses-
Motor Vehicle; Transportation*

CCS SS SCS HCS HB 62 — Crime
HCS HB 89 — Yielding the Right-of-way
CCS SCS HB 91 — Transportation
SCS HCS HB 93 & 216 — Tractor Parades
HB 116 — Crimes Against Transit Workers and Judicial
Officers
HB 253 — Motorcycle Headlamp Modulators
CCS SCS HB 269 — Motor Vehicles, Boats, Motors, and
Manufactured Homes
HB 400 — Free Parking for Certain Veterans
CCS SCS HCS HB 427 — Members of the Military, Veterans,
and Their Families
SS HCS HB 481 — Courts and Judicial Proceedings
HB 644 — Registration and Licensing of Motor Vehicles
CCS SS SCS HB 683 — Transportation
HCS HB 685 — Search Warrants for Certain Traffic-related
Offenses
SCS SB 202 — Operation of a Motorcycle

SCS SB 355 — Administrative Fee for the Sale or Lease of a Vehicle

SB 368 — Traffic Control Signals

NATIONAL GUARD

See also Military Affairs; Veterans

CCS SCS HCS HB 427 — Members of the Military, Veterans, and Their Families

SCS HB 861 — Assistant Adjutants General

NATURAL RESOURCES DEPARTMENT

SS#2 SCS HCS HB 191 — Economic Development and Taxation

CCS HCS HB 246 — Surface Mining and Gravel Excavation

SS HCS HB 661 — Natural Resource Programs

CCS SS SCS HB 734 — Natural Resources

NEWSPAPERS AND PUBLICATIONS

SCS HB 239 — Management of Trusts and Funds

NURSES

SS SCS HCS HB 247 — Nurses and Nursing Students

SCS HCS HB 580 — Line of Duty Compensation Act

CCS HCS SB 296 — Professional Registration

NURSING AND BOARDING HOMES

CCS SS SCS HB 395 — Long-term Care Facilities

SS HCS HB 740 — Federal Reimbursement Allowances

HCS SCS SB 152 — Nursing Student Loan Program

PARKS AND RECREATION

See also Entertainment, Sports and Amusements

CCS SS SCS HCS HB 62 — Crime

SCS HCS HB 250 — Use of Land

PHARMACY AND PHARMACISTS

See also Drugs and Controlled Substances

SS#2 SCS HCS HB 191 — Taxation

CCS SS SCS HB 395 — Long-term Care Facilities

SS HCS HB 740 — Federal Reimbursement Allowances

CCS HCS SB 296 — Professional Registration

SCS SB 394 — Certain Business Names

PHYSICIANS

SS SCS HCS HB 247 — Nurses and Nursing Students

SCS HB 866 — Complaints Against Certain Licensed Professionals

CCS HCS SB 296 — Professional Registration

POLITICAL SUBDIVISIONS

See also Cities, Towns and Villages; Counties

SS#2 SCS HB 103 — Public Safety

CCS SCS#2 HCS HB 148 — Collection of Taxes

SS#2 SCS HCS HB 191 — Economic Development and Taxation

CCS HCS HB 246 — Surface Mining and Gravel Excavation

CCS SS SCS HCS HB 390 — Unauthorized Aliens and Construction Safety Programs

SS HCS HB 481 — Courts and Judicial Proceedings

HB 859 — Retention of Building or Technical Codes

PRISONS AND JAILS

See also Corrections Department

SS HCS HB 481 — Courts and Judicial Proceedings

HB 747 — Sexual Contact with a Prisoner

HB 826 — Sexually Violent Predators

HCS SCS SB 36 & 112 — Forcible Sexual Offenses Against Children

CCS#2 HCS SCS SB 44 — Private Jails

CCS HCS SB 435 — Sexually Violent Predators and the Division of Developmental Disabilities

PROBATION AND PAROLE

CCS SS SCS HCS HB 62 — Crime

HCS SCS SB 36 & 112 — Forcible Sexual Offenses Against Children

SCS SB 140 — Criminal Nonsupport

PROPERTY, REAL AND PERSONAL

See also Advertising and Signs; Conveyances and Easements; Fences and Enclosures; Mortgages and Deeds; Taxation and Revenue-Property

CCS HCS HB 246 — Surface Mining and Gravel Excavation

SCS HCS HB 250 — Use of Land

SCS HB 842 — Real Estate

HCS SB 235 — Manufactured Homes and Sawmills

SB 398 — Posting of Real Property

CCS SB 513 — Real Estate

PSYCHOLOGISTS

See also Mental Health

SCS HB 326 — Licensed Mental Health Professionals

PUBLIC ASSISTANCE

See also Medicaid

CCS SS SCS HCS HB 390 — Unauthorized Aliens

CCS SS SCS HB 395 — Long-term Care Facilities

SS HCS HB 740 — Federal Reimbursement Allowances

HB 802 — Neighborhood Assistance Act

SS SCS SB 376 — Energy and Energy Efficiency

PUBLIC BUILDINGS

SCS HB 544 — Oversight of Public Funds

PUBLIC OFFICERS

HB 116 — Crimes Against Transit Workers and Judicial Officers

CCS SS SCS HB 683 — Transportation

PUBLIC RECORDS, PUBLIC MEETINGS

CCS SCS#2 HCS HB 148 — Collection of Taxes

SCS HCS HB 177 & HCS HB 622 — Court Records for Sexual Offenses

SS#2 SCS HCS HB 191 — Economic Development and Taxation

HCS HB 273 — Documentation for Disbursements on Certain Estates

SS HCS HB 481 — Courts and Judicial Proceedings

HB 652 — Certified Mail

SB 485 — Redaction of Bank Account Numbers

PUBLIC SAFETY DEPARTMENT

CCS SS SCS HCS HB 62 — Crime
 SS#2 SCS HB 103 — Public Safety
 SS HB 132 — Sale of Liquor
 HCS HB 485 — Seismic Safety Commission
 HCS SCS SB 338 — Crime Victims

PUBLIC SERVICE COMMISSION

HCS SB 235 — Manufactured Homes, Sawmills, and Lending
 Institutions
 SS SCS SB 376 — Energy and Energy Efficiency

RAILROADS

See also Motor Carriers; Transportation
 HB 116 — Crimes Against Transit Workers and Judicial
 Officers
 SS SCS HCS HB 359 — Design-build Highway Project
 Contracts
 CCS SS SCS HB 683 — Transportation

RELIGION

SS HB 132 — Sale of Liquor

RETIREMENT - LOCAL GOVERNMENT

CCS SCS HCS HB 397 & HCS HB 947 — Police Retirement
 Systems
 SS HCS HB 481 — Courts and Judicial Proceedings
 HB 593 — Police and Firemen's Pension System Investments
 SB 161 — Police and Firemen's Pension System Investments

RETIREMENT - SCHOOLS

CCS SCS HCS HB 265 — Public School Retirement Systems
 HCS SCS SB 411 — Public Employee Retirement Systems

RETIREMENT - STATE

HB 210 — State Retirement
 HCS SCS SB 411 — Public Employee Retirement Systems

RETIREMENT SYSTEMS AND BENEFITS - GENERAL

SCS HCS HB 82 — Income Tax Exemption for Certain
 Retirement Benefits

REVENUE DEPARTMENT

CCS SS SCS HCS HB 62 — Crime
 SS#2 SCS HCS HB 191 — Economic Development and
 Taxation
 SS SCS HCS HB 205 — Fire Safety Standard and Firefighter
 Protection Act
 CCS SCS HB 269 — Motor Vehicles, Boats, Motors, and
 Manufactured Homes
 HCS HB 306 — Lake Area Business District Tax Collection
 HCS HB 361 — Federal Real ID Act of 2005
 SS HCS HB 381 — Fee Office Contracts
 CCS SS SCS HCS HB 577 — Regulation of Insurance
 HB 644 — Registration and Licensing of Motor Vehicles
 CCS SS SCS HB 683 — Transportation
 HCS SB 235 — Manufactured Homes
 CCS HCS SS SB 307 — Health Care Provider Assessments
 CCS HCS SB 464 — Regulation of Certain Business Entities

SAINT LOUIS

CCS SCS HCS HB 397 & HCS HB 947 — Police Retirement
 Systems
 SS HCS HB 481 — Courts and Judicial Proceedings
 HB 537 — Conveyance in St. Louis City
 SS HCS HB 661 — Natural Resource Programs
 CCS HCS SCS SB 242 — Sewer Districts
 HCS#2 SS SB 291 — Education

SAINT LOUIS COUNTY

SS SCS HCS HB 359 — Design-build Highway Project
 Contracts
 SS HCS HB 481 — Courts and Judicial Proceedings
 SS HCS HB 661 — Natural Resource Programs
 SCS HCS HB 667 — Sheriff Qualifications
 CCS HCS SCS SB 47 — Law Enforcement Personnel
 CCS HCS SCS SB 242 — Sewer Districts

SAVINGS AND LOAN

*See also Banks and Financial Institutions; Credit
 Unions*
 SCS HB 239 — Management of Trusts and Funds
 HCS SB 235 — Lending Institutions
 SCS SB 243 — Lending Institution Services
 SB 277 — Irrevocable Life Insurance Trusts

SCIENCE AND TECHNOLOGY

CCS SS SCS HCS HB 62 — Crime
 SS HCS HB 152 — DNA Profiling System
 SS#2 SCS HCS HB 191 — Economic Development and
 Taxation; Quality Jobs Program
 HCS HB 273 — Documentation for Disbursements on Certain
 Estates
 HCS HB 361 — Federal Real ID Act of 2005
 SCS HB 506 — Math, Engineering, Technology and Science
 Week
 HB 652 — Certified Mail
 CCS SS SCS HB 734 — Natural Resources
 HB 751 — Missouri Propane Education and Research
 Council

SEARCH AND SEIZURE

See also Criminal Procedure; Evidence
 HCS HB 685 — Search Warrants for Certain Traffic-related
 Offenses

SECRETARY OF STATE

SS HCS HB 481 — Courts and Judicial Proceedings
 SB 217 — Corporations and Limited Liability Companies
 SB 294 — Corporate Name Reservation
 HCS SB 480 — State Boards and Commissions

SECURITIES

CCS SS SCS HCS HB 62 — Crime
 HB 593 — Police and Firemen's Pension System Investments
 HCS HB 883 — Investments by the State Treasurer
 SB 161 — Police and Firemen's Pension System Investments
 SCS SB 542 — Investments by the State Treasurer

SEWERS AND SEWER DISTRICTS

SCS HB 283 — Nonprofit Sewer Companies
 SS HCS HB 661 — Natural Resource Programs
 HCS SB 154 — Nonprofit Sewer Companies
 CCS HCS SCS SB 242 — Sewer Districts

SEXUAL OFFENSES

CCS SS SCS HCS HB 62 — Crime
 SCS HCS HB 177 & HCS HB 622 — Court Records for Sexual Offenses
 SS HCS HB 481 — Courts and Judicial Proceedings
 HB 747 — Sexual Contact with a Prisoner
 HB 826 — Sexually Violent Predators
 SCS HB 866 — Complaints Against Certain Licensed Professionals
 HCS SCS SB 36 & 112 — Forcible Sexual Offenses Against Children
 CCS HCS SB 435 — Sexually Violent Predators and the Division of Developmental Disabilities

SOCIAL SERVICES DEPARTMENT

CCS#2 SS HCS HB 154 — Child Placement, Foster Care, and Standby Guardians
 SS HCS HB 740 — Federal Reimbursement Allowances
 SS SCS SB 141 — Paternity Determinations
 CCS HCS SS SB 307 — Health Care Provider Assessments

SOCIAL WORKERS. *See Mental Health***SOIL CONSERVATION**

See also Drainage and Levee Districts; Water Resources and Water Districts
 SCS HCS HB 250 — Use of Land

STATE DEPARTMENTS

See also names of individual departments
 SS#2 SCS HCS HB 191 — Economic Development and Taxation; Big Government Get Off My Back Act
 SB 232 — Education Requirements for Public Employees

STATE EMPLOYEES

SB 232 — Education Requirements for Public Employees
 HCS SCS SB 411 — Public Employee Retirement Systems; Missouri Development Finance Board Employees

SUNSHINE LAW, MEETINGS AND RECORDS. *See Public Records, Public Meetings***SURVEYORS**

SS HCS HB 481 — Courts and Judicial Proceedings
 CCS HCS SB 296 — Professional Registration

TAX CREDITS

See also Taxation and Revenue - Income
 SS#2 SCS HCS HB 191 — Economic Development and Taxation
 SS SCS SB 376 — Energy and Energy Efficiency

TAXATION AND REVENUE - GENERAL

CCS SCS#2 HCS HB 148 — Collection of Taxes
 SS#2 SCS HCS HB 191 — Taxation

CCS SS SCS HB 395 — Long-term Care Facilities
 CCS SS SCS HCS HB 577 — Regulation of Insurance
 SS HCS HB 740 — Federal Reimbursement Allowances
 CCS HCS SS SB 307 — Health Care Provider Assessments
 CCS HCS SB 464 — Regulation of Certain Business Entities

TAXATION AND REVENUE - INCOME

See also Tax Credits
 SCS HCS HB 82 — Income Tax Exemption for Certain Retirement Benefits

TAXATION AND REVENUE - PROPERTY

See also Property, Real and Personal
 CCS SCS#2 HCS HB 148 — Collection of Taxes
 HJR 15 — Property Tax Exemption for Disabled Prisoners of War
 HCS SB 235 — Sawmills
 SCS SJR 5 — Election of County Assessors

TAXATION AND REVENUE - SALES AND USE

HCS HB 306 — Lake Area Business District Tax Collection
 HCS HB 620 & 671 — Bingo
 CCS SS SCS HB 683 — Transportation
 CCS HCS SS SB 307 — Health Care Provider Assessments; Hospital District Sales Tax

TEACHERS

See also Education, Elementary and Secondary
 CCS SCS HCS HB 265 — Public School Retirement Systems
 SCS HB 922 — Allergy Prevention and Response in Schools
 HCS#2 SS SB 291 — Education

TELECOMMUNICATIONS

See also Internet, World Wide Web and E-mail
 SB 217 — Corporations and Limited Liability Companies
 HCS#2 SS SB 291 — Education

TELEVISION

CCS SS SCS HB 734 — Natural Resources

TOBACCO PRODUCTS

SS SCS HCS HB 205 — Fire Safety Standard and Firefighter Protection Act

TOURISM

HCS HB 306 — Lake Area Business District Tax Collection

TRANSPORTATION

See also Aircraft and Airports; Buses; Motor Vehicles; Railroads
 CCS SCS HB 91 — Transportation
 HB 116 — Crimes Against Transit Workers and Judicial Officers
 SS#2 SCS HCS HB 191 — Economic Development and Taxation
 CCS SS SCS HB 683 — Transportation
 SB 368 — Traffic Control Signals

TRANSPORTATION DEPARTMENT

- CCS SCS HB 91 — Transportation
- SS SCS HCS HB 359 — Design-build Highway Project Contracts
- CCS SCS HCS HB 427 — Members of the Military, Veterans, and Their Families
- CCS SS SCS HB 683 — Transportation
- SCS HCS HB 752 — Transportation Appointees

TREASURER, STATE

- CCS SS SCS HCS HB 577 — Regulation of Insurance
- HCS HB 883 — Investments by the State Treasurer
- HCS SCS SB 313 — Federal Economic Stimulus Funds
- CCS HCS SB 464 — Regulation of Certain Business Entities
- SCS SB 542 — Investments by the State Treasurer

UNEMPLOYMENT COMPENSATION

- CCS SCS HCS HB 1075 — Unemployment Compensation
- HCS SCS SB 313 — Federal Economic Stimulus Funds
- HCS SCS SB 338 — Crime Victims

UNIFORM LAWS

- SS HCS HB 481 — Courts and Judicial Proceedings

UTILITIES

See also Energy

- SCS HB 283 — Nonprofit Sewer Companies
- CCS SS SCS HCS HB 390 — Unauthorized Aliens
- SS HCS HB 661 — Natural Resource Programs
- HCS SB 154 — Nonprofit Sewer Companies
- SS SCS SB 376 — Energy and Energy Efficiency

VETERANS

See also Military Affairs; National Guard

- CCS SCS HB 91 — Transportation
- SCS HCS HB 111 — Unclaimed Veterans' Remains
- SS HB 132 — Sale of Liquor
- HB 400 — Free Parking for Certain Veterans
- CCS SCS HCS HB 427 — Members of the Military, Veterans, and Their Families
- HJR 15 — Property Tax Exemption for Disabled Prisoners of War

VETOED BILLS

- HCS HB 89 — Yielding the Right-of-way
- HB 116 — Crimes Against Transit Workers and Judicial Officers
- CCS SCS#2 HCS HB 148 — Collection of Taxes
- SCS HB 171 — Lease Payments for Destroyed Residences after Disasters
- HCS HB 251 — Sale of Milk
- HCS HB 306 — Lake Area Business District Tax Collection
- HB 373 — General Educational Development Revolving Fund
- SCS HB 544 — Oversight of Public Funds
- HCS HB 620 & 671 — Bingo
- HB 644 — Registration and Licensing of Motor Vehicles

- HB 751 — Missouri Propane Education and Research Council
- SCS SB 37 — State Public Defender System
- HCS SB 147 — Missouri Healthy Workplace Recognition Program
- SCS SB 153 — Marketing of Commodities
- SB 156 — Travel Clubs
- SCS SB 202 — Operation of a Motorcycle
- SCS SB 216 — Debt Settlement Providers
- HCS SB 235 — Manufactured Homes, Sawmills, and Lending Institutions
- CCS HCS SCS SB 242 — Sewer Districts
- SCS SB 243 — Lending Institution Services
- HCS SCS SB 411 — Public Employee Retirement Systems
- CCS HCS SB 464 — Regulation of Certain Business Entities
- SCS SB 542 — Investments by the State Treasurer

VICTIMS OF CRIME

See also Crimes and Punishment; Criminal Procedure

- CCS SS SCS HCS HB 62 — Crime
- SCS HCS HB 177 & HCS HB 622 — Court Records for Sexual Offenses
- HCS SCS SB 338 — Crime Victims

WASTE - RADIOACTIVE

- CCS SS SCS HB 683 — Transportation

WASTE - SOLID

- SS HCS HB 661 — Natural Resource Programs

WATER PATROL

See also Highway Patrol; Law Enforcement Officers and Agencies

- CCS SS SCS HB 683 — Transportation
- CCS HCS SCS SB 47 — Law Enforcement Personnel

WATER RESOURCES AND WATER DISTRICTS

See also Soil Conservation

- SCS HCS HB 250 — Use of Land
- SCS HB 283 — Nonprofit Sewer Companies
- SS HCS HB 661 — Natural Resource Programs
- CCS SS SCS HB 734 — Natural Resources
- HCS SB 154 — Nonprofit Sewer Companies
- HCS SB 196 — Public Water Supply Districts

WEAPONS

See also Firearms and Fireworks

- CCS SS SCS HCS HB 62 — Crime
- SS HCS HB 481 — Courts and Judicial Proceedings

WORKERS COMPENSATION

- SCS HCS HB 580 — Line of Duty Compensation Act

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